

CALIFORNIA LEGISLATURE—ASSEMBLY.

THIRTY-SEVENTH (EXTRA) SESSION.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

Tuesday, November 19, 1907.

The Assembly met at ten o'clock A. M., in pursuance to the proclamation of His Excellency, James N. Gillett, Governor of the State of California, dated the fifteenth day of November, 1907.

Hon. Robert L. Beardslee, Assemblyman from the Twenty-third District, and Speaker of the Assembly, in the chair.

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ANNOUNCEMENT.

Hon. Clio Lloyd, Chief Clerk, announced that, in pursuance to the requirements of the Political Code, Section 237, the following officers of the Assembly of the thirty-seventh (regular) session of the Legislature were present and in their respective positions: Clio Lloyd, Chief Clerk; C. S. MacMullan, Minute Clerk; and John T. Stafford, Sergeant-at-Arms.

The Speaker thereupon directed the Chief Clerk to call the roll of Assemblymen.

The roll was called, and the following members of the Assembly answered to their names:

Messrs. Barry, Baxter, Beban, Beckett, Bell, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Fisher, Forbes, Fratessa, Hammon, Hans, Hartmann, Held, Hewitt, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Smyth, Snyder, Spalding, Stanton, Stetson, Strohl, Strobbridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Walsh, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—78.

The Speaker declared a quorum present.

PRAYER.

By invitation of the Speaker, the opening prayer was offered by the Rev. W. F. Reagor, of Sacramento, California.

The Speaker directed the Chief Clerk to read the Governor's proclamation.

The following was read:

PROCLAMATION BY THE GOVERNOR CONVENING THE LEGISLATURE IN EXTRAORDINARY SESSION.

STATE OF CALIFORNIA. }
EXECUTIVE DEPARTMENT. }

WHEREAS, An extraordinary occasion having arisen, and now existing, requiring the Legislature of the State of California to convene;

Now, THEREFORE, I, James N. Gillett, Governor of the State of California, by virtue of the power and authority in me vested by section nine, article five, of the Constitution of the State of California, do hereby convene the Legislature to meet and assemble in extraordinary session at Sacramento, California, on Tuesday, the nineteenth day of November, Anno Domini one thousand nine hundred and seven, at ten o'clock A. M. of that day, for the purpose of enacting laws and taking legislative action upon the following subjects, to wit:

1st. An Act to add a new section to the Political Code of the State of California relating to the postponing of the collection of payment of taxes, the postponing of delinquency for non-payment of same, the postponing of penalties, forfeitures, or fines for non-payment of the same, the postponing of entry of penalty for such delinquency, the postponing of time of preparing delinquent lists for unpaid taxes, and the duties of all persons and public officers in connection therewith in the event of general financial stringency.

2d. To amend section ten of the Political Code, sections ten, one hundred and thirty-four, and one hundred and thirty-five of the Code of Civil Procedure, and section seven of the Civil Code, in reference to legal holidays, by providing for special holidays which may, by proclamation, be called by the Governor, and declaring what judicial acts may be performed by the courts during the continuance thereof.

3d. To approve a proposed amendment to the Charter of the City and County of San Francisco, State of California, ratified by a majority of the qualified electors thereof, at a general election held in said city on Tuesday, November fifth, nineteen hundred and seven, amending Sections 10 and 12 of Article XII and Section 29 of Article XVI of said Charter, relating to bond issues, et cetera.

4th. To approve a proposed amendment to the Charter of the City and County of San Francisco, State of California, ratified by a majority of the qualified electors thereof, at a general election held in said city on Tuesday, November fifth, nineteen hundred and seven, amending Section 2 of Chapter III of Article IV, relating to the custody by the treasurer of public funds, and authorizing their deposits in certain banks upon certain terms and conditions.

5th. To approve a proposed amendment to the Charter of the City and County of San Francisco, State of California, ratified by a majority of the qualified electors thereof, at a general election held in said city on Tuesday, November fifth, nineteen hundred and seven, amending Chapters 7, 8, 4, and 3 of Article IX thereof, relative to the composition of the personnel of the companies of the Fire Department and the salaries and vacations of the members thereof.

6th. To approve a proposed amendment to the Charter of the City and County of San Francisco, State of California, ratified by a majority of the qualified electors of said city, at a general election held therein on Tuesday, November fifth, nineteen hundred and seven, amending Section 1 of Chapter V of Article VIII and Section 1 of Chapter VI of Article VIII, relative to salaries of members of the Police Department.

7th. To provide for expenses incurred by the Adjutant-General during the months of May, June, and July, nineteen hundred and seven, arising and growing out of the labor troubles and strikes in the City of San Francisco, and to pay members of the National Guard for services rendered at that time.

8th. To remove Andrew M. Wilson from the office of Railroad Commissioner, on the ground of corruption and incompetency on the part of the said Wilson.

9th. To amend section five of the Act entitled "An Act to provide for the issuance and sale of State bonds to create a fund for the acquisition by the Board of State Harbor Commissioners of a necessary area for a tidal basin for wharves, piers, harbors, and appurtenances in the City and County of San Francisco: to create a sinking fund for the payment of said bonds; and defining the duties of State officers in relation thereto; making an appropriation of one thousand dollars for the expense of printing said bonds; and providing for the submission of this Act to a vote of the people," approved March 21, 1907, relating to the redemption of such bonds and creating a sinking fund for such purpose, and adding a new section to said Act relating to the publication of said Act, and providing for the payment of the cost of publication of the same.

10th. To appropriate money for the contingent expenses of the Governor's office.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed hereunto the Great Seal of the State of California, at my office in the State Capitol, at Sacramento, this fifteenth day of November, in the year of our Lord the one thousand nine hundred and seventh, and of the admission of the State of California the fifty-seventh.

[SEAL.]

J. N. GILLETT,
Governor of the State of California.

ATTEST:

C. F. CURRY,
Secretary of State.

RESOLUTION.

The following resolution was offered :

By Mr. John :

Resolved, That the following persons be and they are hereby elected as officers of the Assembly, with per diem as fixed by statute :

Hon. Robert L. Beardslee, Speaker.
Hon. J. P. Transue, Speaker pro tem.
Chas Lloyd, Chief Clerk.
T. G. Walker, Assistant Clerk.
W. H. Wright, Assistant Clerk.
H. E. Miller, Assistant Clerk.
H. A. Harper, Minute Clerk.
John T. Stafford, Sergeant-at-Arms.
R. L. Dempsey, Journal Clerk.
R. J. Keneshuk, Enrolling and Engrossing Clerk.
P. H. Wulfs, Chaplain.

Also:

Ralph A. Sollars, Stenographer,
Mark Senna, Messenger to Printer.
William Sitton, Messenger to Printer.
Robina Alexander, Assistant Enrolling and Engrossing Clerk.
C. W. Haub, Bookkeeper to Sergeant-at-Arms.
F. Hildenbrand, Watchman.
W. Greenlaw, Porter.
J. McNitt, Watchman.
W. J. Gribbin, Porter.
G. Hilbert, Watchman.
H. Smith, Porter.
F. C. Trainor, Watchman.
A. J. Cottle, Watchman.
P. Stortz, Porter.
O. J. Pierce, Watchman.
J. Brightman, Watchman.
H. Dunn, Messenger.
Geo. Avery, Watchman.
R. Herndon, Watchman.
C. Schenk, Porter.
J. Hauser, Porter.
J. Kofod, Porter.
J. T. Kelley, Porter.
H. E. Wenke, Porter.
D. Delano, Porter.
M. Coffield, Postmistress.
B. Haggerty, Page.
L. Williams, Page.
D. Sprague, Page.
Ed. Fitzgerald, Page.
J. Hanna, Page.
F. Branch, Page.

Also: The following named persons are hereby employed in the position and at the per diem set opposite their names respectively.

F. L. Bradshaw, Mail Carrier, at \$3 per diem.
Ed. Hammond, Hat Room Attendant, at \$3 per diem.
F. Madeley, Hat Room Attendant, at \$3 per diem.

And be it further resolved, That the State Controller be and he is hereby directed to draw his warrants in favor of the above named persons, and the State Treasurer is hereby directed to pay such warrants for, and at the fixed per diem.

Resolved, That all officers, attachés, and employés, whose names do not appear on the above report or in the foregoing resolution, are hereby dismissed and their names stricken from the payroll.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Barry, Baxter, Behan, Beckett, Bell, Birdsall, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Cutton, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Fisher, Forbes, Fratessa, Hammon, Hans, Hartmann, Held, Hewitt, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, O'Brien, Otis, Pierce, Pyle, Root, Sackett, Smith, Smyth, Snyder, Spalding, Stanton, Stetson, Strohl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Vogel, Walsh, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—74.
NAYS—None.

Whereupon the Speaker declared the above named duly elected officers of the Assembly for the Thirty-seventh (extra) session of the Legislature.

OATH OF OFFICE.

The afore-named officers (elect) of the Assembly, excepting the Chaplain, presented themselves at the bar of the Assembly and each took and subscribed to the following oath of office:

I do solemnly swear that I will support the Constitution of the United States of America, and the Constitution of the State of California, and that I will faithfully discharge the duties of the office to which I have been elected, according to the best of my ability.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Stanton:

Resolved, That the Chief Clerk be and he is hereby instructed to inform the Senate that the Assembly is in session, pursuant to the proclamation of His Excellency, the Governor, dated Friday, November 15, 1907, and ready for the transaction of legislative business, with the following officers, to wit:

Speaker—R. L. Beardslee.

Speaker pro tem.—J. P. Transue.

Chief Clerk—Chlo Lloyd.

Sergeant-at-Arms—John T. Stafford.

Assistant Clerks—T. G. Walker, W. H. Wright, H. E. Miller.

Journal Clerk—R. L. Dempsey.

Minute Clerk—H. A. Harper.

Chaplain—P. H. Willis.

Resolution read, and on motion adopted.

By Mr. Fisher:

Resolved, That a select committee of three be appointed by the Speaker to act with a like committee from the Senate, to wait upon the Governor and inform him that the two houses of the Legislature are in session, and in readiness to receive any communication which he may have to make.

Resolution read, and on motion adopted. •

STANDING RULES OF ASSEMBLY.

1. *Hour of meeting.*

The sessions of the House shall be daily (Sundays excepted), beginning at nine o'clock and thirty minutes A. M. Until February 6, 1907, adjournment shall be taken at twelve o'clock and thirty minutes P. M., and after said date a recess shall be taken at said hour to two o'clock P. M., unless otherwise ordered by a vote of the House.

2. *Order of business.*

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approval of the Journal.
4. Presentation of Petitions.
5. Reports of Standing Committees.
6. Reports of Select Committees.
7. Messages from the Governor.
8. Messages from the Senate.
9. Introduction and Reference of Bills.
10. Motions and Resolutions.
11. Special Orders of the Day.
12. Unfinished Business of the Preceding Day.
13. Business on Special File.
14. Business on General File and Third Reading of Bills.

3. *Reports of Committee on Engrossed and Enrolled Bills.*

It shall be in order for the Committee on Engrossed and Enrolled Bills to report at any time.

4. *Messages from the Governor and Senate.*

Messages from the Governor and from the Senate may be considered at any time by a vote of the House.

5. *Petitions to be presented, with a brief statement of contents.*

Petitions, memorials and other papers addressed to the House, shall be presented by the Speaker, or by a member in his place. A brief statement of the contents thereof shall be made verbally by the introducer. They shall not be debated on the day of their being presented, but shall lie on the table, or be referred, as the House shall determine.

6. *Introduction and reading of bills.*

Any member desiring to introduce a bill shall rise in his place and address the Speaker, and, upon being recognized, shall present the same. It shall then be numbered and read the first time at the Clerk's desk and referred to a standing committee, and be printed, and a copy placed upon the desk of each member. Every bill shall be read at length on three several days previous to its passage, unless in case of urgency two thirds of the House shall, by vote of ayes and noes, dispense with this provision. The Speaker shall give notice at each reading whether it be the first, second, or third, and no bill shall be read at either reading until the House has so determined by a vote. All bills to appropriate money for contingent purposes shall be presented by the Committee on Ways and Means. The chairman or clerk of each committee of the Assembly shall notify the author of any bill or proceeding pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

7. *Introduction of bills by committee.*

Any committee may introduce a bill appertaining to any subject coming within its consideration, whereupon it shall be read the first time and placed upon the proper second-reading file. When such a bill is designed to be a substitute for one or more Assembly bills, the bills for which it is such a substitute shall, by a majority vote of the House, be deemed withdrawn, and shall not appear upon the file. Upon the introduction of a bill by a committee, it shall be numbered as a new bill, ordered printed, and placed upon the Assembly file for further action.

8. *Disposition of Senate bills.*

When a Senate bill has been received by the House, with a message announcing that the same has passed the Senate, such bill shall be referred to a standing committee, *provided, however*, that when a Senate bill is received, the provisions of which are identical with those of an Assembly bill which has already been considered and reported by a committee of the House, such Senate bill shall be substituted for the Assembly bill (the latter being considered withdrawn), shall take the same place upon the Assembly file, and be considered as having received the same recommendation of the Assembly committee, *provided*, that the fact that the bills are identical shall be entered in the Journal.

9. *Joint resolutions and constitutional amendments*

Joint resolutions shall be treated the same as bills, *provided*, that they shall be read but once, and that after they have been reported by a committee; *and provided further*, that the ayes and noes shall not be called upon their adoption, unless regularly demanded. Proposed amendments to the Constitution shall be treated the same as bills; *provided*, they shall be read but once, and only after they shall have been reported by a committee.

10. *Proceedings touching appropriations of money to be considered in Committee of the Whole.*

All bills making appropriations of money shall be considered in a Committee of the Whole House while on second reading, and no addition to any appropriation shall be made out of Committee of the Whole.

11. *Reference of bills.*

No debate shall be allowed on any motion to refer a bill or resolution to a committee. The Speaker shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the House by a majority vote refer it to some other committee.

12. *Referring with special instructions.*

A bill or resolution may be committed with special instructions at any time after the third reading has been ordered.

13. *Order of making file.*

Upon the introduction of bills they shall be read the first time, and referred to committees as provided in Rule 6. When reported back they shall be placed upon the general file, to be kept by the Clerk, as follows: All bills when reported to the House by the committee shall be placed at the foot of the second-reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading; and precedence shall be given in the consideration of bills in the following order: third-reading file and second-reading file, unless otherwise ordered by a two-thirds vote of the House. The Clerk shall post, in a conspicuous place in the chamber, a daily statement of the bills on the general file, setting forth the order in which they were filed, and specifying the alterations arising from the disposal of business each day.

14. *Order of making special file.*

The Clerk shall, from time to time, make up a file, to be known as the special file, on which he shall place bills relating to appropriations for the support of the State government and State institutions, revenue, election laws, and constitutional amendments, in the order named and in the order in which the same may be reported to the Assembly, and he shall place no other bills thereon, nor shall any bill on the general file be substituted for any bill thereon.

15. *Taking up bills out of order.*

When a member shall ask leave to have a bill taken up out of its regular order, he shall, in making the motion, give the number and title of the bill, and its position on the file.

16. *Engrossing and enrolling bills.*

The Engrossing and Enrolling Clerk shall engross, and enroll, the bills which shall come to his hands for such purposes, in compliance with the provisions of Section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the House. Said Clerk shall be responsible for every violation of this rule by his assistants or deputies; no clerk of this House, or his deputy or assistant, shall demand or receive from any person any compensation other than that provided by law for any services performed by him in regard to the bills or preparation of bills before this House.

17. *Bills to be reported back within ten days.*

All bills referred to any committee shall be by such committee reported back to the House, with its action thereon, within ten days after such reference, unless the House, by request of such committee, shall otherwise order.

DUTIES OF SPEAKER.

18. *To call House to order.*

The Speaker, or, in his absence, the Speaker pro tem., shall take the chair precisely at the hour appointed for meeting, and shall immediately call the House to order. In the absence of both the Speaker and the Speaker pro tem., the Chief Clerk, or an assistant, shall call the House to order, whereupon a chairman shall be elected from among the members to preside.

19. *To preserve order; to decide points of order; and may speak to same.*

He shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House by any member, on which appeal no member shall speak more than once, unless by leave of the House.

20. *To have direction of the hall; may call any member to the chair.*

He shall have general direction of the hall. He shall have a right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment.

21. *To sign resolutions, etc., attested by the Clerk.*

All acts, addresses, and joint resolutions shall be signed by the Speaker, and all writs, warrants, and subpoenas issued by order of the House shall be under his hand, attested by the Clerk.

22. *May order the galleries and lobby cleared.*

In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker (or Chairman of the Committee of the Whole House) shall have power to order the same to be cleared.

DUTIES OF THE SERGEANT-AT-ARMS.

23. *To attend sittings of House; serve processes.*

The Sergeant-at-Arms shall attend the House during its sittings, to execute the commands of the Speaker of the House, and all process issued by authority thereof directed to him by the Speaker. He shall be sworn to keep the secrets of the House. He shall also have supervision of all the attachés of the House (except the clerks at the desk, the committee attachés, and the page to the Speaker, which page shall be under the exclusive supervision of the Speaker), and shall be responsible for the performance of their duties, and shall have power to suspend any attaché under him for dereliction of duty, and shall report to the Speaker such suspension and the causes thereof, said attaché shall not receive any pay during the time of such suspension. The Speaker shall have the power to relieve the attaché of his suspension, and shall have the power to remove any attaché for incompetency or for willful neglect of duty.

24. *Fees of Sergeant-at-Arms.*

The Sergeant-at-Arms shall receive for every arrest the sum of one dollar; for each day's custody and releasement, one dollar; and for traveling expenses for himself, or a special messenger, going and coming, ten cents per mile, but no compensation shall be allowed for the arrest, custody, or releasement of members under a call of the House, within the limits of the Capitol grounds. All fees accruing to the Sergeant-at-Arms for

arrest, custody, and release of members, shall be paid by the members so arrested, held in custody, and released, unless excused by a vote of the House. And when a member shall be excused by the House, the Sergeant-at-Arms shall not be allowed any fees for the arrest.

25. *Assistant Sergeant-at-Arms to be Doorkeeper.*

The Assistant Sergeant-at-Arms shall be the Doorkeeper, and shall be sworn to keep the secrets of the House.

26. *Standing committees.*

The Standing Committees of the House shall be as follows:

1. A Committee on Agriculture, to consist of seven members.
2. A Committee on Attachés and Employés, to consist of seven members.
3. A Committee on Banks and Banking, to consist of five members.
4. A Committee on Building and Loan Associations, to consist of seven members.
5. A Committee on Claims, to consist of seven members.
6. A Committee on Commerce and Navigation, to consist of nine members.
7. A Committee on Commissions and Public Expenditures, to consist of seven members.
8. A Committee on Contingent Expenses and Accounts, to consist of five members.
9. A Committee on Constitutional Amendments, to consist of seven members.
10. A Committee on Contested Elections, to consist of seven members.
11. A Committee on Corporations, to consist of nine members.
12. A Committee on Counties and County Boundaries, to consist of nine members.
13. A Committee on County and Township Governments, to consist of thirteen members.
14. A Committee on Dairies and Dairy Products, to consist of nine members.
15. A Committee on Election Laws, to consist of seven members.
16. A Committee on Education, to consist of nine members.
17. A Committee on Engrossment and Enrollment, to consist of seven members.
18. A Committee on Fruit and Vine Interests, to consist of seven members.
19. A Committee on Fish and Game, to consist of eleven members.
20. A Committee on Federal Relations, to consist of seven members.
21. A Committee on Governor's Messages, to consist of five members.
22. A Committee on Immigration, to consist of nine members.
23. A Committee on Insurance and Insurance Laws, to consist of nine members.
24. A Committee on Irrigation, to consist of nine members.
25. A Committee on Judiciary, to consist of twenty-one members.
26. A Committee on Labor and Capital, to consist of nine members.
27. A Committee on Levees and River Improvements, to consist of seven members.
28. A Committee on Manufactures and Internal Improvements, to consist of seven members.
29. A Committee on Mileage, to consist of five members.
30. A Committee on Military Affairs, to consist of seven members.
31. A Committee on Mines and Mining Interests, to consist of nine members.
32. A Committee on Municipal Corporations, to consist of seven members.
33. A Committee on Oil Industries and Oil Mining Interests, to consist of nine members.
34. A Committee on Public Buildings and Grounds, to consist of eleven members.
35. A Committee on Public Health and Quarantine, to consist of seven members.
36. A Committee on Public Lands and Forestry, to consist of seven members.
37. A Committee on Public Morals, to consist of nine members.
38. A Committee on Public Printing, to consist of seven members.
39. A Committee on Public Works, State Capitol, and Parks, to consist of seven members.
40. A Committee on Public Charities and Corrections, to consist of seven members.
41. A Committee on Reform of the Civil Service, to consist of five members.
42. A Committee on Retrenchment and Reform, to consist of seven members.
43. A Committee on Revenue and Taxation, to consist of nine members.
44. A Committee on Revision and Reform of Laws, to consist of nine members.
45. A Committee on Roads and Highways, to consist of eleven members.
46. A Committee on Rules and Regulations, to consist of five members, one of whom shall be the Speaker.
47. A Committee on State Hospitals and Asylums, to consist of eleven members.
48. A Committee on State Library, to consist of five members.
49. A Committee on State Prisons and Reformatory Institutions, to consist of nine members.
50. A Committee on Swamp and Overflowed Lands and Drainage, to consist of nine members.
51. A Committee on Universities, to consist of seven members.
52. A Committee on Ventilation and Acoustics, to consist of five members.
53. A Committee on Ways and Means, to consist of fifteen members.

The San Francisco Delegation, to whom may be referred matters of interest in particular to the City and County of San Francisco, but not to the exclusion of the jurisdiction of other committees.

27. Committees to be appointed by Speaker.

All committees shall be appointed by the Speaker, unless otherwise ordered by the House.

28. Committee on Contested Elections.

It shall be the duty of the Committee on Contested Elections to examine and report upon the certificates of election or other credentials of the members returned to serve in this House, and to take into their consideration all such petitions and other matters touching elections and returns as shall or may be presented or come into question, and be referred to them by the House.

29. Committee on Ways and Means.

It shall be the duty of the Committee on Ways and Means to take into consideration all reports of the State Officers and State Boards or State Commissions and all propositions relative to the revenue of the State as may be referred to them by the Assembly; to inquire into the state of the revenue and expenditures of the State, and report from time to time their opinion thereon. All bills for the appropriation of money, which were not at first referred to the Committee on Ways and Means, shall be reported to the House by the committees having them under consideration, and shall thereupon, without motion, be referred to the Committee on Ways and Means, and said committee shall consider them and report thereon the amount of appropriation required, but such bill shall retain its place on the file pending its consideration by said Committee on Ways and Means.

The Committee on Ways and Means shall, from time to time, at least once in two weeks, report to the House the exact condition of legislation involving appropriations, and the aggregate amount of all the proposed appropriations pending.

30. Committee on Commissions and Public Expenditures.

It shall be the duty of the Committee on Commissions and Public Expenditures to ascertain what State commissions, institutions, or boards, if any, can be abolished or consolidated with advantage to the public, in view of a more economical administration of State affairs; to ascertain what expenditures and salaries of the various public offices and institutions can be advantageously reduced or discontinued; to prepare and report to the Assembly such bills or resolutions as may be required to carry out the recommendations of the committee.

31. Committee on Engrossment.

It shall be the duty of the Engrossing Committee to compare all bills ordered or considered engrossed by this House with the engrossed copies thereof; and before they pass out of the possession of the House, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed.

32. Committee on Revision and Reform of Laws.

It shall be the duty of the Committee on Revision and Reform of Laws to take into consideration all petitions, bills, and resolutions touching the revision and reform of the existing laws of the State of California that shall or may be presented or come into question and be referred to it by the Assembly.

33. Committee expenditures.

No committee shall be permitted to incur any expense by visiting any part of the State on official or other business, without first obtaining leave of the House by a two-thirds vote of the members thereof.

34. Committee of the Whole House.

In forming a Committee of the Whole House, a chairman, to be named by the Speaker, shall preside. Bills committed to a Committee of the Whole House shall, in Committee of the Whole, be read by sections. All amendments shall be noted and reported to the Assembly by the Chairman. After report to the Assembly, the bill shall again be subject to amendment before a vote on the report is taken.

35. Rules in Committee of the Whole.

The rules of the Assembly shall be observed in Committee of the Whole, as far as may be applicable, except limiting the time of speaking, and except that the ayes and noes shall not be taken.

36. Motion to rise decided without debate.

A motion that the committee rise shall always be in order, and shall be decided without debate.

37. Reference of bills.

When a motion is made to refer any subject, and different committees shall be proposed, the question shall be taken in the following order:

The Committee of the Whole House.

A Standing Committee.

A Select Committee.

38. *Calling members to order when transgressing rules.*

If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, call to order, in which case the member so called to order shall immediately sit down, unless permitted to explain, and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the Chair, the member shall not be allowed to proceed; but if it be not sustained, then he shall be permitted to go on. Every such decision from the Chair shall be subject to an appeal to the House, but no discussion of a question of order shall be allowed, unless an appeal be taken from the decision of the Chair.

39. *Speaker to decide who is entitled to the floor.*

When two or more members shall rise at once, the Speaker shall name the member who is first to speak.

40. *Order in speaking to questions.*

Every member, when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted, except the author of a bill or resolution, or mover of a question. No member shall be allowed to speak more than thirty (30) minutes upon any question, except by leave of the House.

41. *Called to order for offensive words in debate.*

If any member be called to order for offensive words spoken in debate, the person calling him to order shall report the words excepted to, and they shall be taken down in writing at the Clerk's table, and no member shall be held to answer, or be subject to censure of the House, for language used in debate, if any member has spoken or other business has intervened after the words spoken and before exception to them shall have been taken.

42. *Personal explanation.*

Any member may rise to explain a matter personal to himself, with leave of the Chair, but shall not discuss a question in such explanation.

43. *Motions to be stated by Speaker shall be reduced to writing, or may be withdrawn.*

No motion shall be debated until the same be seconded and distinctly announced by the Speaker, and it shall be reduced to writing, if desired by the Speaker, or any member, and be read by the Clerk, before the same shall be debated. A motion may be withdrawn by leave of the House, at any time before amendment or decision.

44. *Motion to adjourn.*

A motion to adjourn shall always be in order, except during roll call. The Clerk shall enter on the Journal the name of any member moving an adjournment, also the hour at which the motion was made.

When a motion is made and seconded to adjourn, it shall be in order for the Speaker, before putting the question, to permit any member to state any fact to the House relating to the condition of the business of the House, which would seem to render it improper to adjourn at that time. Such statement, however, shall not be debatable, and such statement or statements shall not, in any case, occupy more than two minutes.

Concurrent resolutions for adjournment *sine die* shall in all cases, whether originating in the House or coming from the Senate, be referred to the Committee on Ways and Means. That committee shall report upon any such concurrent resolution not later than the next legislative day, and with regard to the status of the general appropriation bill and the tax levy.

45. *Precedence of motions during debate.*

When a question is under debate, or before the House, no motion shall be received but To adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit or amend; to postpone indefinitely, which several motions shall have precedence in the order in which they are named, but the first three shall be decided without debate, and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill shall have preference over a motion to amend, and, if carried, shall be considered equivalent to its rejection. A dilatory motion shall not be considered intervening business within the meaning of parliamentary usage.

46. *Previous question.*

The previous question shall be in this form: "Shall the main question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it.

47. *Questions of order after previous question is ordered.*

All incidental questions of order arising after a motion is made for the previous question, and pending such motion or previous question, shall be decided (whether on appeal or otherwise) without debate, *provided*, that after the previous question shall have been ordered, ten minutes shall be allowed for explanation of the matters covered

by the previous question, of which five minutes shall be given to the member moving the previous question, and five minutes to those opposed thereto.

48. *Previous question demanded.*

The previous question shall only be put when demanded by three members.

49. *Question indefinitely postponed.*

When a question is postponed indefinitely, the same shall not again be introduced during the session.

50. *Division of questions.*

Any member may call for a division of the question, which shall be divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out being lost, shall preclude neither a motion to add to nor a motion to strike out and insert.

51. *Substitute.*

A substitute shall be deemed and held to be an amendment, and be treated in all respects as such.

52. *Subjects different from the one under consideration.*

No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

53. *Printing of bills.*

Five hundred copies of all bills shall be printed. The Sergeant-at-Arms shall be required to certify to the reception by the House of all such printed matter, and the quantity thereof.

54. *Printing extra number of bills, etc.*

A proposition to print an extra number of any document or other matter shall lie on the table one day for consideration, unless otherwise ordered by consent of the House.

55. *Printing of maps.*

Maps accompanying documents shall not be printed under the general order to print, without the special direction of the House.

56. *Filling blanks.*

In filling up blanks the least sum and shortest time shall be first put.

57. *Priority of business.*

All questions relating to the priority of business shall be decided without debate.

58. *Reading of papers.*

When the reading of a paper is called for, except petitions, and the same is objected to by any member, it shall be determined by a vote of the House, without debate.

59. *Notice of reconsideration.*

On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any member, *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a member voting with the majority; and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session. No motion to reconsider shall be adopted, except upon a roll call, and it shall require forty-one votes to adopt the motion.

60. *Elections by House.*

In all cases of election by the House the vote shall be taken *viva voce*.

61. *Calling ayes and noes.*

The ayes and noes shall be taken on the final passage of all bills, and when called for by three members on other questions, and every member within the bar of the House, when his name is called, shall (unless for special reasons he be excused) declare openly, and without debate, his vote. In taking the ayes and noes, and upon call of the House, the names of the members shall be taken alphabetically, and the Clerk shall enter on the Journal the names of those demanding the ayes and noes.

62. *Members at Clerk's desk.*

No member or other person shall remain by the Clerk's table while the ayes and noes are being called, or while the votes are being counted.

63. *Voting on question when interested.*

No person shall vote on any question in the result of which he is personally interested or involved.

64. *Division and count of House.*

Upon a division and count of the House on any question, no person without the bar shall be counted.

65. *Explaining or changing vote.*

No member shall be allowed to explain his vote or discuss the question while the ayes and noes are being called, and no member shall be allowed to change his vote after the vote is announced from the chair.

66. *Call of the House.*

Upon a call of the House the names of the members shall be called over by the Clerk, and the absentees noted, after which the names of the absentees shall again be called over. The door shall then be shut, and those for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and taken into custody by the Sergeant-at-Arms wherever to be found, or by special messenger, to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a call of the House and compel the attendance of absentees in the manner above provided. No recess can be taken during a call of the House.

67. *Suspending and changing rules.*

No standing rule or order of the House shall be rescinded or changed without a vote of two thirds, and one day's notice being given of the motion therefor, *provided*, that the Committee on Rules and Regulations may at any time, except during a roll call, report a temporary rule providing for the consideration of any bill on the files of the House belonging to either of the following classes:

1. Bills affecting the State government, its revenue, its various departments or commissions, or appropriations therefor.
2. Bills affecting county and township governments, or roads and highways.
3. Bills affecting town, city, city and county governments, or the municipal affairs of the same.
4. Bills amending election or primary election laws.
5. Constitutional Amendments.
6. Bills amending or repealing the Codes or sections thereof.

Such temporary rule shall provide when a bill so selected shall be taken up for consideration, and the time when final vote shall be taken thereon and pending amendments thereto, if there be any.

It shall always be in order to call up for consideration such report. The same shall be subject to amendment by the House.

On the adoption of such temporary rule by the House by a two-thirds vote thereof, if the bill be on third reading, and by a majority vote of the members elected to the House, if otherwise, such bill shall thereupon be made the special order for the time fixed therein.

A rule of order may be suspended temporarily by a vote of two thirds of the members present, except that portion of Rule 6 relating to third reading of bills. A motion or resolution proposing to increase or diminish a standing committee shall not be adopted until the same has been referred to the Committee on Rules and Regulations.

The Committee on Rules and Regulations may also, at any time, report a temporary rule or regulation for the consideration of the business on the file, having regard to the condition of the business of the House. When such temporary rule or regulation shall have been adopted by the House, it shall have the effect, for the time being, of a standing rule, and shall be enforced by the Speaker.

68. *Members absenting themselves.*

No member shall absent himself from the service of the House without the leave of the House, except in case of sickness; and if any member or officer of the House absent himself without leave, his *per diem* shall not be allowed him, but no member shall obtain leave of absence, or be excused, without a vote of two thirds of the House.

69. *Persons admitted to floor.*

No persons except Senators, State officers, Governors and ex-Governors of States, Members of Congress, Judges of the Supreme or Superior Courts, members of the press when accredited by their respective journals, ladies when specially invited by a member of the House, shall be admitted within the Assembly Chamber, except in the galleries, during the session of the House; but a majority may have the floor of the House within the bar cleared of any or all such persons. The Speaker is charged with the enforcement of this rule.

70. *Smoking in hall.*

No smoking shall be allowed within the Assembly Chamber during the session of the House.

71. *Parliamentary rules.*

The rules of parliamentary practice contained in Roberts' Rules of Order shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and Orders of the House and the Joint Rules of the Senate and House of Assembly.

72. *Use of hall.*

The Assembly Room shall not be used for any public or private business other than legislative, except by consent of a majority of the House.

73. *Fees for witnesses.*

Witnesses summoned to appear before the House, or any of its committees, shall be paid as follows: For each day a witness shall attend, the sum of two dollars, for each mile he shall travel in coming to and going from the place of examination, the sum of ten cents. No mileage shall be paid except where the witness has actually traveled for the purpose of giving testimony.

74. *Protest of members.*

It shall be in order for any member or members to protest against the action of the House, and have such protest entered upon the minutes.

75. *Fees allowed in cases of contest.*

Whenever, in the Assembly, a contest is made for the seat of any Assemblyman, no more than two hundred dollars shall be allowed as counsel fees to either side.

76. *Assignment of attachés.*

The Committee on Attachés and Employés shall assign the committee clerks and the official stenographers of the House to the various committees, *provided*, that the Committee on Judiciary and the Committee on Ways and Means shall each be entitled to one clerk and one stenographer, to be selected by the chairman of those committees, respectively.

All assignments of committee clerks and stenographers made by the Committee on Attachés and Employés under this rule shall be reported to the House and entered in the Journal.

77. *Introduction of bills after fiftieth day.*

On or prior to the fiftieth day of the session the Speaker shall appoint a standing Committee on Introduction of Bills, to consist of three members.

All motions for leave to introduce bills after the fiftieth day shall be sent to the desk in writing, under the order of "Introduction of Bills," and at no other time. The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

That committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought, and generally as to the advisability of introducing the measure.

The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate Special File.

The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full, and the roll shall be called upon the adoption of the resolution without debate.

If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill.

78. *Leave of absence of committee visiting public institutions.*

When leave of absence shall be granted any committee, special or standing, to visit public buildings or institutions, or for any other purpose, such leave shall be granted only by a two-thirds vote taken *viva voce*, and no expenses or mileage of attachés shall be allowed. No member of the Assembly shall accompany a committee as a substitute for a member thereof who declines to accompany the committee, without permission for such substitution being obtained from the Speaker. Application for a leave of absence for a committee shall be made to the Assembly by the chairman thereof, by resolution, which shall give the name of the institution or institutions to be visited and briefly recite the occasion and necessity for visiting the same, together with the number of committeemen desiring leave. Such resolution shall immediately, and without debate, be referred to the Committee on Rules and Regulations, with instructions to report upon the next legislative day on the same, and whether the leave of absence can be granted without interfering with the business of the Assembly.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker appointed the following as a committee to wait upon the Governor: Messrs. Fisher, McConnell, and Drew.

RESOLUTION.

The following resolution was offered:

By Mr. Leeds:

Resolved, That until further order the Standing Rules of this Assembly at its last regular session be and the same are hereby adopted as the rules of this session, and the

committees appointed at the last regular session shall remain as the committees of this special session, provided that all vacancies shall be filled by appointment by the Speaker.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Baxter, Beban, Beckett, Bell, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Cutton, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Fisher, Forbes, Fratessa, Hammon, Hans, Held, Hewitt, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Smyth, Snyder, Spalding, Stanton, Strohl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Vogel, Walsh, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—73.

NOES—None.

MESSAGE FROM THE SENATE.

The following message from the Senate was received and read:

SENATE CHAMBER, SACRAMENTO, November 19, 1907.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed the following resolution:

Resolved, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate is now duly organized, and ready to proceed to the business of the State, having elected the following statutory officers:

President pro tem.—Edward I. Wolfe.

Secretary of the Senate—Lewis A. Hilborn.

Sergeant-at-Arms—J. Louis Martin.

Minute Clerk—G. Ray Horton.

Chaplain—C. H. Darling.

LEWIS A. HILBORN, Secretary of Senate.

RESOLUTION.

The following resolution was offered:

By Mr. Stetson:

Resolved, That on or prior to the second day of the session, the Speaker shall appoint a standing committee on "Introduction of Bills," to consist of three members.

All motions for leave to introduce bills after the second day shall be sent to the desk in writing, under the order of "Introduction of Bills," and at no other time. The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

That committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought, also as to whether the bill proposed comes within the call by the Governor for the extra session, and generally as to the advisability of introducing the measure.

The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate Special File.

The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full. And the roll shall be called upon the adoption of the resolution without debate.

If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill.

Resolution read.

SPECIAL ORDER SET.

There being no objection, the Speaker made the further consideration of the above resolution a special order, on call, for Wednesday, November 20, 1907.

REPORT OF SELECT COMMITTEE.

The committee appointed by the Speaker to wait upon the Governor appeared before the bar of the Assembly and reported that the Governor would immediately, through his secretary, deliver a message to the Assembly.

GOVERNOR'S MESSAGES.

The following messages from the Governor were taken up and read:

GOVERNOR'S MESSAGE.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, November 19, 1907.

To the Senate and Assembly of the State of California, convened in Special Session :

At the most urgent request of clearing houses, banking institutions, civic bodies, and many prominent business men from all parts of the State, I have called you together for the purpose of enacting certain legislation which is believed to be imperative because of the most unusual financial stringency existing to-day in the State, brought about by conditions existing in the East.

The specific purposes for which you have been called together appear in a proclamation issued by me on Friday, the 15th instant, copies of which will be placed before you.

Several of these purposes I desire herein to call to your special attention, and I ask your careful consideration of them.

It is very important that the finances of this State should reach a normal condition as speedily as possible, and there is every reason to believe that this will be so, if our people are patient and will view the situation philosophically and take no steps to embarrass the banking institutions of this State, that are now using every effort possible to restore confidence and to replace the reserves that for several months have been depleted by reason of the movement of crops and by the action of timid depositors who have withdrawn their money and hoarded it.

The country generally is very prosperous, our State is particularly so, and there is no reason why this prosperity should not continue. Legitimate business never was better. The farmers in every State have been blessed with large crops for a number of years, for which they have received good prices. All the wheels of industry are turning, trying to supply the enormous demands made upon them. All labor is employed at the highest wages ever known and the merchants have been enjoying a large trade. There is no poverty in the land, yet in the midst of plenty, and apparently on a most solid basis, and with more money in the country and a larger per capita than we ever enjoyed before, the nation finds itself in the throes of a money panic.

It is quite evident that there must be some cause for this condition of affairs, and it is found in the extravagant living, wild speculation, the effort to get rich quickly by giving nothing for something, the frenzied finance of the stock and bond manipulators of Wall street, and the attempt, dishonestly and by misrepresentation, to float all manner of enterprises upon a sea of water. These are the things which have been mostly, if not entirely, responsible for the present financial stringency, and it is only the unparalleled prosperity, distributed among the masses, that saved us from financial ruin.

Our banking laws need to be amended so as to afford better protection to the depositor. The large trust companies and corporations doing an interstate business should be placed under Federal supervision and subject to Federal laws, and if there is no authority for this under the present Constitution, then the Constitution should be amended so as to grant such power.

I suggest that the Legislature appoint a committee to investigate the methods of doing banking business in this State, and to report thereon at the next regular session, together with such recommendations and changes in the law as such committee may deem necessary.

To-day our banks have large balances due them from the East, amounting to millions of dollars, which have accumulated there by reason of the movement of our crops to that market. Most of this money should, in the due course of business, have been paid by this time, but because of the financial conditions existing in New York and other Eastern cities, our bankers are unable to secure the balances due them, payment having been temporarily refused.

This, together with the fact that for several months large sums have been withdrawn from the banks and hoarded, had greatly depleted the cash reserve which the banks usually carry, and with which the business of our State is carried on. The effect is that money can not be secured with which to pay the first installment of taxes without reducing the reserves to such an extent as to seriously imperil our financial, commercial and industrial interests, thereby jeopardizing the business of the State. In fact, many who have depended upon the banks to supply money to pay taxes can not pay their taxes at all. Unless some relief is granted the delinquent list will be large, and many of our citizens will suffer a heavy penalty, and so much money will be taken out of circulation at a time when none can be spared as to threaten the very business prosperity of the people. This relief can come by enacting a law authorizing the Governor, during a great financial stringency, to issue a proclamation extending the payment of taxes for a short period of time.

Such a bill will be presented to you for your consideration and I desire you to give it your most earnest attention.

The financial conditions have been such that it was necessary to declare legal holidays in order to protect our business interests. Other states for the same reason have also declared holidays. While it has been necessary and wise to declare them, still the business of the courts has suffered and there has resulted loss and great inconvenience to many of our citizens. It is possible to declare holidays to protect our financial and commercial interests and still leave the courts open to dispatch a large variety of necessary business. Therefore the law should be amended so that during holidays declared by a proclamation issued by the Governor the courts may remain open for the prosecution of all criminal actions and proceedings; to conclude any action pending and on trial; in all suits for injunctions; to quiet title to real property; for partition; condemnation proceedings; forcible entry and detainer or unlawful detainer; replevin; ejectment; divorce; probating of estates of deceased persons, and many other matters not necessary to mention.

This change of our laws I deem very necessary, and I trust the Legislature will pass suitable legislation to that end. The law as it now applies to regular and fixed holidays should remain as it is, the change being made only in reference to what may be termed special holidays declared by the Governor's proclamation.

Several proposed amendments to the charter of the City and County of San Francisco, which were ratified by the qualified electors of said city at a recent election held therein, will be submitted to you for your approval. One of such amendments is of particular importance to the city, and relates to the issuance and sale of bonds for municipal improvements, and in view of the great need of such improvements in San Francisco, it is very important that this amendment should be approved by the Legislature.

Among these improvements of which San Francisco is urgently in need are: an auxiliary water system for fire protection and for sanitary and flushing purposes; construction and repair of its sewer system; the construction of a city and county hospital; the repaving of accepted streets; the reconstruction of school houses destroyed by fire and earthquake, the construction of a new City Hall, Hall of Justice, and other public buildings. The estimated cost of these improvements amounts to about \$28,000,000, and the money to build the same must be raised by a bond issue. The necessity for making these improvements alone is sufficient to warrant the calling of an extra session of the Legislature, and I apprehend that there will be no doubt in your minds about approving this amendment as well as several others which will be submitted to you.

At the last general State election A. M. Wilson of San Francisco was elected to the office of Railroad Commissioner from the Second District. Mr. Wilson has, on several occasions, confessed to having received bribes while a public officer, and today an indictment stands against him for committing the very crime for which he stands confessed. The Constitution provides that the Legislature may, by a two-thirds vote, remove a Railroad Commissioner for dereliction of duty, or corruption, or incompetency. In the proclamation convening this special session, your attention has been called to Mr. Wilson. He is charged therein with corruption and incompetency, and you are requested to investigate the charges. The procedure is left to you, and I have performed my duty by calling your attention to the matter and requesting an investigation at your hands. I feel confident that if you find the charges to be true you will have no hesitancy in pronouncing a proper verdict.

I trust that you will take up as speedily as possible the several matters set forth in the proclamation calling this special session, and act upon the same. It is very desirable that the session should not continue longer than is necessary and that every effort be made to keep down expenses to the minimum.

J. N. GILLETT,
Governor of California.

Also:

To the Senate and Assembly of the State of California.

I have just received the following:

"November 18, 1907.

To the Hon. JAMES N. GILLETT, Governor of California.

SIR: I hereby tender my resignation as a Railroad Commissioner for the Second District.

"Yours respectfully,

"ANDREW M. WILSON."

I immediately accepted the resignation, and have so advised Mr. Wilson.

In my judgment, further proceedings looking to the removal of Mr. Wilson from office are unnecessary.

J. N. GILLETT, Governor.

INTRODUCTION OF BILLS.

The following bills were introduced:

By Mr. Johnson of Sacramento: Assembly Bill No. 1—An Act to amend Section 10 of the Code of Civil Procedure, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 2—An Act to amend Sections 134 and 135 of the Code of Civil Procedure, both relating to judicial days.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 3—An Act to amend Section 10 of the Political Code, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 4—An Act to amend Section 7 of the Civil Code, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 5—An Act to add a new section to the Political Code of the State of California, to be known and numbered as Section 3900a, relating to the postponing of the collection or payment of taxes, the postponing of delinquency for non-payment of same, the postponing of penalties, forfeitures or fines for non-payment of same, the postponing of time of preparing delinquent lists for unpaid taxes, and the duties of all persons and public officers in connection therewith, in the event of general financial stringency.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Estudillo. Assembly Bill No. 6—An Act making an appropriation for the contingent expenses of the Governor's office for the fifty-ninth and sixtieth fiscal years, in addition to such sums as have been heretofore appropriated.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 7—An Act making an appropriation to pay the claims for services of the National Guard of California and other expenses incurred by the Adjutant-General under direction of the Governor, arising and growing out of the labor troubles and strikes in the City of San Francisco in the months of May, June, and July, 1907.

Bill read first time, and referred to Committee on Ways and Means.

RESOLUTION—(OUT OF ORDER).

Unanimous consent having been obtained, the following resolution was offered:

By Mr. McGuire:

Resolved, That all bills introduced be sent to the printer with a rush order, and that five thousand copies of each bill introduced under the first and second paragraphs of the Governor's proclamation be printed.

Resolution read, and on motion adopted.

ADJOURNMENT.

At eleven o'clock and forty-five minutes A. M., on motion of Mr. Johnson of Sacramento, the Speaker declared the Assembly adjourned until ten o'clock A. M. of Wednesday, November 20, 1907.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

Wednesday, November 20, 1907.

At ten o'clock A. M., pursuant to adjournment, the Assembly was called to order.

Hon. R. L. Beardslee, Speaker of the Assembly, in the chair.

The roll was called, and the following members answered to their names:

Messrs. Barry, Baxter, Beban, Beckett, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Cutten, Davis, Devlin, Drew, Eshleman, Estrudillo, Finney, Fisher, Forbes, Fratessa, Hammon, Hans, Hartmann, Held, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leed, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Smyth, Snyder, Spalding, Stanton, Steison, Strohl, Strobidge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—76.

Quorum present.

PRAYER.

By invitation of the Speaker, prayer was offered by the Rev. W. F. Reagor, of Sacramento, California.

READING OF THE JOURNAL.

During the reading of the Journal, its further reading was dispensed with, on motion of Mr. Leeds.

COMMUNICATION.

Upon instructions from the Speaker, the following communication was read:

QUINCY, CALIFORNIA, November 18, 1907.

HON. R. L. BEARDSLEE, *Speaker of Assembly, Sacramento, Calif., U. S. A.*

Sickness compels my absence. Am sorry. I love the boys of the Thirty-seventh and have defended them against all assailants.

REV. P. H. WILLIS, Chaplain.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, November 20, 1907.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 6—An Act making an appropriation for the contingent expenses of the Governor's office for the fifty-ninth and sixtieth fiscal years, in addition to such sums as have been heretofore appropriated.

Also Assembly Bill No. 7—An Act making an appropriation to pay the claims for services of the National Guard of California and other expenses incurred by the Adjutant-General, under direction of the Governor, arising and growing out of the labor troubles and strikes in the City of San Francisco in the months of May, June and July, 1907.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

ESTUDILLO, Chairman.

The above reported bills ordered on file for second reading.

RESOLUTION.

The following resolution was offered by the Committee on Mileage:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite each of their names, and the State Treasurer is hereby ordered and directed to pay the same:

Name.	Residence.	Miles.	Amount.
Barry, D. W.	San Francisco	180	\$18 00
Baxter, E. N.	Wawona	438	43 80
Beardslee, R. L.	Stockton	96	9 60
Beban, D. J.	San Francisco	180	18 00
Beckett, S. H.	San Francisco	180	18 00
Bell, R. O.	Los Angeles	894	89 40
Berry, T. J. T.	Crescent City	728	72 80
Birdsall, E. S.	Auburn	72	7 20
Bishop, Clyde	Santa Ana	958	95 80
Boyle, P. J.	San Francisco	180	18 00
Bush, F. W.	Napa	122	12 20
Butler, E. I.	San Rafael	210	21 00
Campbell, P. C.	Richmond	164	16 40
Case, G. S.	Pasadena	912	91 20
Chandler, W. F.	Fowler	858	85 80
Cogswell, P. F.	El Monte	924	92 40
Coghlan, N. C.	San Francisco	180	18 00
Collister, S. W.	Occidental	212	21 20
Cornish, N. A.	Alturas	648	64 80
Costar, W. J.	Chico	192	19 20
Cullen, J. A.	San Francisco	180	18 00
Cutten, C. P.	Eureka	624	62 40
Davis, J. O.	Hollister	340	34 00
Devlin, F. R.	Vallejo	120	12 00
Drew, A. M.	Fresno	338	33 80
Eshleman, J. M.	Berkeley	168	16 80
Estudillo, M.	Riverside	1,024	102 40
Finney, J. W.	Downieville	238	23 80
Fisher, C. M.	San Francisco	180	18 00
Forbes, P. W.	Independence	932	93 20
Fratessa, P. F.	San Francisco	180	18 00
Hammon, P. V.	Los Angeles	894	89 40
Hans, G. J.	Fruitvale	180	18 00
Hartmann, F. Hugo	San Francisco	180	18 00
Held, W. D. L.	Ukiah	300	30 00
Hewitt, A. H.	Yuba City	116	11 60
Higgins, J. T.	Morgan Hill	296	29 60
John, W. M.	San Luis Obispo	686	68 60
Johnson, G. L.	Sacramento	2	20
Johnson, P. A.	San Diego	1,104	110 40
Jury, R. H.	San Mateo	224	22 40
Kelly, P. J.	San Francisco	180	18 00
Kohlman, S. T.	San Francisco	180	18 00
Leeds, W. R.	Los Angeles	894	89 40
Lemon, W. F.	San Bernardino	1,016	101 60
Lucas, H. C.	Santa Cruz	396	39 60
Ludington, W. F.	San Diego	1,146	114 60
Lynch, E. J.	Walsh Station	32	3 20
McClellan, J. W.	Bridgeville	732	73 20
McConnell, J. I.	Woodland	46	4 60
McGuire, Wm. L.	Hanford	428	42 80
McKeon, John	San Francisco	180	18 00
McMullin, H. W.	Bakersfield	556	55 60
O'Brien, F. J.	Sacramento	16	1 60
Otis, Frank	Alameda	182	18 20
Percival, A. E.	Lodi	66	6 60
Pierce, Fred E.	Los Angeles	894	89 40
Pyle, E. M.	Santa Barbara	920	92 00
Root, G. W.	Grass Valley	148	14 80
Sackett, G. L.	Ventura	980	98 00
Smith, G. W.	Santa Clara	284	28 40
Smyth, F. H.	Lake	208	20 80
Snyder, G. F.	San Andreas	146	14 60
Spalding, C. C.	Sunnyvale	264	26 40
Stanton, P. A.	Los Angeles	894	89 40
Stetson, J. W.	Oakland	168	16 80

Name.	Residence.	Miles.	Amount.
Strohl, Louis	San Francisco	180	\$18 00
Strobridge, E. K.	Haywards	196	19 60
Thompson, Henry	San Francisco	180	18 00
Thompson, N. W.	Los Angeles	910	91 00
Toomey, D. J.	San Francisco	180	18 00
Transue, J. P.	Los Angeles	894	89 40
Vogel, Mel	San Francisco	180	18 00
Walsh, P. M.	Oakland	168	16 80
Weske, H. W. A.	Santa Rosa	180	18 00
Wessling, John	San Francisco	180	18 00
Whitmore, R. K.	Modesto	154	15 40
Wilson, J. A.	San Francisco	180	18 00
Wyatt, J. J.	Sahnas City	416	41 60

Contingent Expenses.

Cho Lloyd	Santa Barbara	920	\$92 00
C. S. MacMullan	Oakland	168	16 80
C. S. MacMullan	Two days' services at \$6 per diem	---	12 00
J. T. Stafford	Sacramento	2	20

* SPECIAL ORDER SET.

During the reading of the resolution, on motion of Mr. Transue, the further consideration of the same was made a special order, on call, for Thursday, November 21, 1907.

REQUEST FOR USE OF ASSEMBLY CHAMBER.

Mr. Johnson of Sacramento asked for and was granted leave to use the Assembly Chamber after adjournment for holding a meeting of the Committee on Judiciary.

INTRODUCTION OF BILLS.

By Mr. Estudillo: Assembly Bill No. 8—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the extra session of the Thirty-seventh Legislature, and directing the State Controller and State Treasurer to make such transfer.

Bill read first time, and referred to Committee on Ways and Means.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Finney:

WHEREAS, P. H. Willis, Chaplain of the Assembly, is unable to attend this special session on account of sickness;

Resolved, That the name of Rev. W. F. Reagor of Sacramento be substituted as Chaplain.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Barry, Baxter, Beban, Beckett, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Fisher, Forbes, Fratessa, Hammon, Hartmann, Held, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lemon, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smyth, Snyder, Spalding, Stanton, Stetson, Strohl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—72.

NOES—None.

By Mr. Held:

WHEREAS, In the message of His Excellency, Hon. J. N. Gillett, to this Assembly on

November 19, 1907, it is recommended that a committee be appointed to investigate the methods of doing banking business in this State, and to report thereon at the Thirty-eighth session of the Legislature, together with such recommendations and changes in the law as such committee may deem necessary, and

WHEREAS, It is advisable and necessary that such investigation be made; now, therefore, be it

Resolved, That the Speaker of the Assembly appoint a committee of five members of the Assembly to investigate the methods of doing banking business in this State, and to report thereon at the Thirty-eighth session of the Legislature, together with such recommendations and changes in the law as such committee may deem necessary, and be it further

Resolved, That the said committee be, and it hereby is authorized and empowered to do any and all things necessary to have a full and complete investigation of the matters hereinabove enumerated, and to that end to employ all necessary clerical and expert assistance; to send for persons and papers, and to take all necessary means to procure the attendance of witnesses and testimony. Members of said committee are, and each of them is, hereby authorized to administer oaths, and all the provisions of Article VIII, Chapter II, Title I and Part III of the Political Code, relative to the "attendance and examination of witnesses before the Legislature and committees thereof," applies to the committee appointed under this resolution, and the Sergeant-at-Arms of the Assembly is hereby authorized and directed to serve any and all subpoenas that may be issued by the chairman of said committee, when directed to do so by the chairman, and be it further

Resolved, That said committee report the result of its investigations and recommendations to the Thirty-eighth session of the California Legislature, and there is hereby appropriated out of the contingent fund of the Assembly the sum of \$1,500, to pay the charges and costs to be incurred by said committee to be appointed hereunder, for clerical and other assistance and for fees of witnesses attending said investigation, and for other expenses connected with said investigation aside from the personal expenses of the members of said committee, and the Controller is hereby directed to draw his warrant for \$1,500 in favor of the chairman of said committee when appointed, and the Treasurer is hereby directed to pay the same, for said purposes.

Resolution read.

SUBSTITUTE OFFERED.

The following concurrent resolution was offered by Mr. Stanton as a substitute for the above:

ASSEMBLY CONCURRENT RESOLUTION NO. 1.

WHEREAS, Within the past month a condition of financial embarrassment has prevailed among the banks and banking houses doing business in the State of California, notwithstanding the fact that the people of this State in every walk of life have been particularly prosperous, and

WHEREAS, The said financial embarrassment of said banks and banking houses has resulted in wide-spread dissatisfaction among all classes and further resulted in a succession of holidays declared by the Governor, the result of which has been great inconvenience and injury to many business interests other than banking, and has impeded the progress of the courts in the disposition of all business, civil, criminal and probate, that was pending in said courts at the time of and during such holidays, and

WHEREAS, It is the opinion of many that the financial condition, as now existing, is attributable largely to the imperfection of the laws of the State of California governing banks and banking and trust companies and in the manner of conducting said business; and

WHEREAS, It is apparent to all that our banking and trust laws need to be amended so as to afford better protection to the depositor and the business world. Now, therefore, be it

Resolved, by the Assembly of the State of California, the Senate concurring, That a committee to consist of three Senators and three members of the Assembly be appointed by the President of the Senate and the Speaker of the Assembly respectively for the purpose of investigating into the business methods employed generally by the banks and banking houses in the State of California and to ascertain the average total cash on hand earned in proportion to the total deposits, the proportion to deposits loaned by such banks and banking houses outside of the State of California, the terms and average rate of interest on such loans and generally with other and such further information as will enable such committee to make a full and comprehensive report as to the methods of banking business usually employed by such banks and banking houses to the end that laws may be enacted that will or may in some degree prevent a recurrence of such conditions of financial embarrassment as exists at this time in this State.

That said committee be and it is hereby empowered to administer oaths and issue all necessary subpoenas directed to persons residing in this State, to appear before such committee at a time and place to be named therein, and such person so served, is required to appear and testify before such committee as to all matters and things which

he may be examined upon, bearing upon the subject matter of this resolution and such persons shall be required to produce and submit to the inspection and examination by such committee of all books, papers and documents as may be in his possession or control.

That such committee shall have and is hereby given power and authority to incur all necessary expenses to enable it to perform the duties herein specified and that it make its report in writing to the Governor and the Legislature next to meet, and in such report it make such recommendations and prepare such laws as will carry out the purposes contemplated by these resolutions.

That the expenses to be incurred under authority of this resolution shall not exceed, in the aggregate, the sum of five thousand dollars (\$5,000), and such amount shall be payable one-half out of the Contingent Fund of the Assembly and one-half out of the Contingent Fund of the Senate. The State Controller shall draw his warrants upon such funds on the presentation of claims audited by the committee and filed by the chairman of said committee, and the State Treasurer shall pay the same.

SPECIAL ORDER SET.

On motion of Mr. Drew, both resolutions were ordered printed and their further consideration made a special order for Thursday, November 21, 1907, immediately after the reading of the Journal.

RESOLUTIONS—(RESUMED).

By Mr. Transue:

Resolved, That the Controller draw his warrant in favor of the Chief Clerk for \$50, and the Treasurer is directed to pay the same, said amount being for postage, expressage, telegraphing, and incidental expenses of the Chief Clerk's office

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Barry, Baxter, Beban, Beckett, Birdsall, Bishop, Boyle, Bush, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Curten, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Fisher, Forbes, Fratessa, Hammon, Hans, Hartmann, Held, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, O'Brien, Ous, Percival, Pierce, Pyle, Root, Sackett, Smith, Smyth, Snyder, Spalding, Stanton, Stetson, Strohl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—74.

NOES—None.

By Mr. Leeds:

Resolved, That the Sergeant-at-Arms of the Assembly, or the Bookkeeper to the Sergeant-at-Arms, be and they are hereby authorized to receipt to the Controller for all warrants for payments to members, officers, and attachés of the Assembly.

Resolution read, and on motion adopted.

MESSAGE FROM THE SENATE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, November 20, 1907.

MR. SPEAKER: I am directed to inform your honorable body, that the Senate on this day passed the following:

Senate Concurrent Resolution No. 1—Relative to approving four certain amendments to the charter of the City and County of San Francisco, State of California, voted for and ratified by the electors of said City and County of San Francisco at a general municipal election held therein on the fifth day of November, 1907.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KIVANAGH, Assistant Secretary.

REFERENCE OF CONCURRENT RESOLUTION.

On motion of Mr. Coghlan, Senate Concurrent Resolution No. 1 was referred to the San Francisco Delegation.

ADJOURNMENT.

At eleven o'clock and thirty-five minutes A. M., on motion of Mr. Johnson of Sacramento, the Speaker declared the Assembly adjourned until ten o'clock A. M. of Thursday, November 21, 1907.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

Thursday, November 21, 1907.

At ten o'clock A. M., pursuant to adjournment, the Assembly was called to order.

Hon. R. L. Beardslee, Speaker of the Assembly, in the chair.

The roll was called, and the following members answered to their names:

Messrs. Barry, Baxter, Beban, Bell, Berry, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Fisher, Forbes, Fratessa, Hammon, Hans, Hartmann, Held, Hewitt, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Smyth, Snyder, Spalding, Stanton, Stetson, Strohl, Strobbridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—77.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. W. F. Reagor.

READING OF THE JOURNAL.

During the reading of the Journal, its further reading was dispensed with, on motion of Mr. Boyle.

LEAVE OF ABSENCE.

On motion of Mr. Root, Mr. Beckett was granted a leave of absence for the day.

CORRECTION OF THE JOURNAL.

On motion of Mr. Transue, the Journal of November 20 was ordered corrected by printing Assembly Concurrent Resolution No. 1 in full after page 4.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, November 21, 1907.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 8—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the extra session of the Thirty-

seventh Legislature, and directing the State Controller and State Treasurer to make such transfer—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ESTUDILLO, Chairman.

Bill ordered on file for second reading.

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, November 21, 1907.

MR. SPEAKER: Your San Francisco Delegation, to whom was referred Senate Concurrent Resolution No. 1—Approving four certain amendments to the Charter of the City and County of San Francisco, State of California, voted for and ratified by the electors of said City and County of San Francisco, at a general municipal election held therein on the fifth day of November, 1907—have had the same under consideration, and respectfully report the same back and recommend that we concur in the same.

STROHL, Chairman.

Mr. Strohl moved that the Assembly forthwith proceed to consider Senate Concurrent Resolution No. 1.

Motion carried.

SENATE CONCURRENT RESOLUTION NO. 1

Approving four certain amendments to the Charter of the City and County of San Francisco, State of California, voted for and ratified by the electors of said City and County of San Francisco, at a general municipal election held therein on the fifth day of November, 1907.

WHEREAS, The City and County of San Francisco, State of California, contains a population of over three hundred and forty thousand inhabitants, and has been ever since the eighth day of January in the year one thousand nine hundred, and is now organized and acting under a Freeholders' Charter, adopted under and by virtue of Section Eight of Article Eleven of the Constitution of the State of California, which Charter was duly ratified by the qualified electors of said City and County at an election held for that purpose on the twenty-sixth day of May, one thousand eight hundred and ninety-eight, and approved by the Legislature of the State of California on the twenty-sixth day of January, one thousand eight hundred and ninety-nine (Statutes of 1899, page 241), and which Charter was not amended within an interval of two years immediately prior to the fifth day of November, one thousand nine hundred and seven; and

WHEREAS, The legislative authority of said City and County, namely the Board of Supervisors thereof, duly proposed to the qualified electors of the City and County of San Francisco, twenty-one certain amendments to the Charter of said City and County of San Francisco by the submission of twenty-one proposals, entitled, as follows, to wit:

Charter Amendment No. 1, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Sections 10 and 12 of Article XII, and Section 29 of Article XVI thereof, relating to bonds issued for the acquisition of public utilities and the character of such bonds, the registration thereof, and the levy of taxes to provide for the interest thereon and a sinking fund therefor, and to bonds issued for the acquisition of land or lands and the construction or acquisition of any permanent building or buildings, improvement or improvements, and the character and registration of such bonds and the proceedings for the issuance thereof."

Charter Amendment No. 2, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by adding to Chapter 1 of Article II thereof a new section to be numbered 23, relating to the recall of elected officers."

Charter Amendment No. 3, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Section 12 of Chapter 1 of Article III thereof, relating to the apportionment of the income and revenue of the several funds and a provision for income to pay interest on the bonded indebtedness and provide for the sinking funds."

Charter Amendment No. 4, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Section 2 of Chapter III of Article IV thereof, relating to the custody by the Treasurer of public funds and authorizing their deposit in certain banks upon certain terms and conditions."

Charter Amendment No. 5, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Section 21 of Chapter 1 of Article VI thereof, relating to contracts entered into by the Board of Public Works of the City and County, and bonds to be given in connection with the same,

and the character, terms and conditions of such contracts, and permitting progressive payments to be provided for thereon, upon certain terms and conditions."

Charter Amendment No. 6, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Section 2 of Article V thereof, relating to the bonds of officers of the City and County."

Charter Amendment No. 7, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Section 8 of Chapter 1 of Article III thereof, relating to the appropriation by the Supervisors of said City and County for urgent necessities not otherwise provided for by law."

Charter Amendment No. 8, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Chapters 8, 4 and 3 of Article IX thereof, relative to the composition of the personnel of the companies of the Fire Department and the salaries and vacations of the members thereof."

Charter Amendment No. 9, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by adding three new sections thereto, to be known as Sections 14, 15 and 16 of Article XII thereof, relating to the power of the City and County to acquire, operate, maintain, sell or lease public utilities; relating to the acquisition of lands for water purposes, and relating to the disposition of the rents received from public utilities and the keeping of accounts relative to such public utilities."

Charter Amendment No. 10, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by adding to Chapter 2, Article II thereof, a new section to be known and numbered as Section "9," relating to the sale of lands by the City and County."

Charter Amendment No. 11, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by repealing Section 20, Chapter III, Article VI of said Charter, and by adding a new Chapter to said Article of said Charter, to be known and designated as Chapter 6 thereof, all relating to the change or modification of street grades and the performance of street work in connection therewith."

Charter Amendment No. 12, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by repealing Sections Nos 1 to 19 inclusive of Chapter III of Article VI of said Charter and by adding new sections to said Chapter of said Article of said Charter, to be known and designated as Sections 1, to 19 inclusive thereof, all relating to the opening, extending, widening, straightening or closing up of streets and the performance of street work in connection therewith, and the condemnation and acquisition of land and property necessary therefor."

Charter Amendment No. 13, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Section 5 of Article 1 thereof, relating to the liability for damages of said City and County and its officials."

Charter Amendment No. 14, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending subdivision 11 of Section 1 of Chapter III of Article VII thereof, relating to the leasing of real property of the School Department."

Charter Amendment No. 15, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Subdivision 3 of Section 1, of Chapter II, of Article II thereof, relating to the powers of the Supervisors of said City and County to grant permits for spur or side tracks and running cars thereon on any public street or portion thereof within said City and County."

Charter Amendment No. 16, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Section 2 of Chapter III of Article II thereof, relating to official advertising."

Charter Amendment No. 17, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending subdivision 14, of Section 1, of Chapter II, of Article II thereof, relating to the regulation of telephone charges."

Charter Amendment No. 18, entitled "Describing and setting forth an amendment to the Charter of the City and County of San Francisco, State of California, by amending Section 1 of Article XIV thereof, and by adding thereto a new article, to be known and numbered as Article XIV-A, relating to children's playgrounds and public recreation centers outside of Golden Gate Park, and creating a Playground Commission."

Charter Amendment No. 19, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Sections 1 and 2 of Article X thereof, relating to the Department of Public Health."

Charter Amendment No. 20, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Section 1 of Chapter V of Article VIII, and Section 1 of Chapter VI of Article VIII, thereof, relative to the salaries of members of the Police Department."

Charter Amendment No. 21, entitled "Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend Sections 2 and 3 of Chapter IX, Article IX of the Charter of said City and County, relative to the salaries of the Chief and of the employes of the Department of Electricity." And

WHEREAS, Said twenty-one proposals aforementioned containing said proposed amendments to said Charter were, in accordance with the provisions of Section Eight of Article Eleven of the Constitution of the State of California, published for twenty days after their passage, in "The Evening Post," a daily newspaper of general circulation in the City and County of San Francisco, and the official newspaper of said City and County, and

WHEREAS, The said legislative authority of said City and County, did by Resolution No. 1308 (New Series) of the Board of Supervisors, passed September 16, 1907, instruct the Board of Election Commissioners of said City and County to place upon the ballot at a general municipal election to be held in said City and County of San Francisco on the Fifth day of November, One Thousand Nine Hundred and Seven, the said twenty-one several proposals to amend the Charter of the City and County of San Francisco, and

WHEREAS, Said general municipal election was held in said City and County of San Francisco on the Fifth day of November One Thousand Nine Hundred and Seven, which day was more than forty days after said proposed amendments had been published for Twenty days in "The Evening Post" newspaper, and

WHEREAS, On the Eleventh day of November One Thousand Nine Hundred and Seven and thereafter, at meetings duly convened in accordance with law, and the Charter of the City and County of San Francisco, the Board of Election Commissioners of the said City and County duly and regularly canvassed the returns of said general municipal election, and duly declared the results thereof, said Board being by law and the Charter authorized to conduct, manage and control the holding of elections and all matters pertaining to elections in said City and County, and

WHEREAS, At said general municipal election so held on the Fifth day of November One Thousand Nine Hundred and Seven, twenty of said proposed amendments were ratified by a majority of the electors voting thereon, and one of said proposed amendments received less than a majority of the votes of said electors, and

WHEREAS, Thereafter, to wit, on the Fifteenth day of November One Thousand Nine Hundred and Seven, the said Board of Election Commissioners duly filed with the Board of Supervisors the "Official Statement of Votes polled at the General Municipal Election held in the City and County of San Francisco, State of California, on Tuesday, the Fifth day of November, A. D. 1907, for Charter Amendments * * *" and also filed a duplicate thereof in the Office of the Secretary of State of California; and

WHEREAS, The Governor of the State of California by virtue of the power and authority vested in him by Section Nine, Article Five of the Constitution of the State of California has convened the Legislature to meet and assemble in extraordinary session on Tuesday, the Nineteenth day of November, A. D. 1907, for the purpose among other things, of taking legislative action upon the four amendments to the Charter of the City and County of San Francisco hereinafter set forth; and

WHEREAS, The said four amendments so ratified by the Electors of the City and County of San Francisco at said General Municipal Election are now submitted to the Legislature of the State of California for approval or rejection as a whole without power of alteration or amendment, in accordance with Section Eight of Article Eleven of the Constitution of the State of California, and are in words and figures as follows, to wit:

That Section 10 of Article XII of the Charter be amended to read as follows:

SECTION 10. The bonds issued under the provisions of this article shall be of such form as the Supervisors in the ordinance calling the election therefor shall determine; but such bonds shall be payable, interest and principal, in gold coin of the United States. The interest on such bonds shall not exceed 5 per cent per annum, and they shall be redeemed at such times and in such amounts as the Supervisors shall determine, as set forth in the ordinance calling the special election; *provided*, that redemption of such bonds shall begin in not more than eighteen years and shall be completed in not more than seventy-five years from the date of the issue.

The bonds so issued shall be exempt from all taxation for municipal purposes and shall be issued in denominations of not less than ten dollars and not more than one thousand dollars, and preference in the sale and allotment thereof shall be given to subscribers for the smallest amounts and the lowest denominations.

The Supervisors shall fix the times and places at which the payment of interest or principal may be made.

Such bonds when issued may be sold by the Supervisors from time to time, as required, and in such quantities as they may determine. When such bonds are offered for sale they shall be advertised in the official paper and otherwise if so ordered by the Supervisors and sealed proposals for the purchase of the whole or any part thereof offered shall be opened at the time specified in such advertisements. All proposals for the purchase of such bonds shall be accompanied by a deposit of 5 per cent of the amount bid in lawful money of the United States or by a deposit of a certified check payable to the Clerk of the Board of Supervisors of the City and County for a like sum, *provided* that no deposit need exceed the sum of ten thousand dollars, and that no deposit need be given by the State of California, which money or check shall be forfeited by the bidder in case he fails to accept and pay for the bonds bid for by him if his bid is accepted. Bonds shall be sold to the highest bidder for not less than par, but the Supervisors shall have the right to reject any or all bids made for the purchase thereof. If less than the amount of bonds offered shall be sold, the Supervisors may, with the concurrence of fourteen members and the Mayor, place such unsold bonds on sale at the City Treasury, or at branches thereof established by the Treasurer for public convenience; and such bonds may be sold to any applicant at such prices as may be fixed by the Supervisors, *provided* that such prices shall not be less than par and accrued interest.

The proceeds of any sale of bonds shall be placed in the treasury to the credit of the proper fund, and shall be applied exclusively to the purposes and objects mentioned in the ordinance authorizing their issue until such objects are fully accomplished; after which, if any surplus remains, such surplus may be transferred to the general fund, except that if such surplus exceeds the sum of two thousand dollars, then such surplus and the whole thereof shall be transferred to the appropriate fund or funds to pay the interest and maintain the sinking fund or provide for the retirement of the bonded indebtedness in connection with which such surplus remains.

If the bonds or any of them offered for sale shall remain unsold the Supervisors may so declare, and may, with the concurrence of fourteen members and the Mayor, cancel such unsold bonds, *provided* that no bonds shall be canceled as aforesaid unless the same have been offered for sale by advertisement, as above provided, at least three separate times at intervals of not less than thirty days, and *provided* that no such bonds shall be canceled by the Supervisors as aforesaid for which par or above has been bid by any bona fide responsible bidder or bidders.

The provisions of this section, regarding the cancellation of unsold bonds, shall apply to any bonds that have been heretofore issued or to any bonds that have been heretofore authorized by a vote of the electors of the City and County under this section or under Section 29 of Article XVI of this Charter, and that remain unsold after efforts to sell the same shall have been made as above provided.

Whenever the owner of any coupon bond, or of any bond payable to bearer, already issued or hereafter issued by the City and County shall present any such bond to the Treasurer with a request for the conversion of such bond into a registered bond, such Treasurer shall cut off and cancel the coupons of any such coupon bond so presented, and shall stamp, print or write upon such coupon bond or such other bond payable to bearer, so presented, either upon the back or upon the face thereof, as may be convenient, a statement to the effect that the said bond is registered in the name of the owner and that thereafter the interest and principal of said bond are payable to the registered owner. Thereafter, and from time to time, any such bond may be transferred by such registered owner in person, or by attorney duly authorized on presentation of such bond to Treasurer, and the bond be again registered as before, a similar statement being stamped, printed or written thereon. Such statement stamped, printed or written upon any such bond may be in substantially the following form:

(Date—giving month, year and day.)

This bond is registered pursuant to Charter of the City and County of San Francisco, State of California, in the name of ——— (here insert name of owner), and the interest and principal thereof are hereafter payable to such owner.

Treasurer.

After any bond shall have been registered as aforesaid, the principal and interest of such bond shall be payable to the registered owner. Such Treasurer shall keep in his office a book or books which shall, at all times, show what bonds are registered and in whose names, respectively.

That Section 12 of Article XII of the Charter be amended to read as follows:

SECTION 12. At the time of levying the municipal tax, and in the manner provided for such tax levy, the Supervisors shall levy and collect annually a tax sufficient to pay the annual interest on such bonds and also such part of the bonded municipal indebtedness as will fall due within the succeeding fiscal year, and as may be necessary to provide for the sinking fund payments of the next succeeding fiscal year, *provided* that when the interest and sinking fund payments for any fiscal year on the bonds issued for any public utility can be met out of the surplus earnings of such public utility for the preceding fiscal year, no tax shall be levied for such purpose. Such taxes shall be in addition to all other taxes levied for municipal purposes, and

shall be collected at the same time and in the same manner as other municipal taxes are collected.

That Section 29 of Article XVI of the Charter be amended to read as follows:

SECTION 29. When the Supervisors shall determine that the public interest requires the acquisition of any land or lands or the construction or acquisition of any permanent building or buildings, improvement or improvements, the cost of which, in addition to the other expenses of the City and County, will exceed the income and revenue provided for the City and County for any one year, they must, by ordinance, submit a proposition or propositions to incur a bonded indebtedness for such purpose or purposes to the electors of the City and County at a special election to be held for that purpose only. All provisions of this Charter, as the same shall read at the time of submitting such propositions to the electors, providing for the acquisition of public utilities, so far as the same are applicable, shall apply to the manner of submitting such proposition or propositions, to the issuance, character and registration of said bonds and to the time when, and the kind of money in which said bonded indebtedness shall be payable.

The proceeds of any sale of bonds shall be placed in the Treasury to the credit of the proper fund and shall be applied exclusively to the purposes and objects mentioned in the ordinance authorizing their issuance until such objects are fully accomplished, after which, if any surplus remains, such surplus may be transferred to the general fund, except that if such fund exceeds the sum of two thousand dollars then such surplus and the whole thereof shall be transferred to the appropriate fund or funds to pay the interest and maintain the sinking fund or provide for the retirement of the bonded indebtedness in connection with which such surplus remains.

That Section 2 of Chapter III of Article IV of said Charter be amended to read as follows:

SECTION 2. The Treasurer shall receive and safely keep all moneys which shall be paid into the treasury. Except as hereinafter provided, he shall not lend, exchange, use nor deposit the same, or any part thereof, to or with any bank, banker, or person, nor pay out any part of such moneys, nor allow the same to pass out of his personal custody, except upon demands authorized by law or this Charter, and after they shall have been approved by the Auditor. At the close of business each day, he shall take an account of and enter in the proper book the exact amount of money on hand. At the end of every month he shall make out and file with the Mayor and publish quarterly in the official newspaper a statement of the condition of the treasury, showing the amounts of receipts into and payments from the treasury, and on what account, and out of what fund. If he violate any of the provisions of this section, he shall be guilty of misconduct in office, and be liable to removal therefrom, and be proceeded against accordingly. He shall keep the accounts belonging to each fund separate and distinct, and shall in no case pay demands chargeable against one fund out of moneys belonging to another. He shall be in personal attendance at his office each day during office hours. No fees of any kind shall be retained by him, but the same, from whatever source received or derived, shall be paid by him into the treasury.

All moneys paid into the treasury of the City and County may be deposited by the Treasurer, upon the written consent of the Mayor, in any licensed national bank or banks, within this State, or in any bank, banks or corporations authorized and licensed to do a banking business, and organized under the laws of this State, *provided* that such bank or banks in which such moneys are deposited shall furnish as security for such deposits, bonds of the United States or of this State, or of any County, Municipality or School District within this State, approved by the Treasurer and the City Attorney. The market value of the bonds furnished as security, shall be at least 10 per cent in excess of the amount of the deposit secured thereby; but the amount of the deposit shall in no case exceed the face value of the bonds furnished as security therefor. *And provided* that such bank or banks shall pay a reasonable rate of interest, not less than 2 per cent per annum, on the daily balances therein deposited.

The rate of interest shall be fixed annually as herein provided in the month of January of each year on all deposits to be made for such year, *provided*, that the rate of interest for the year ending December 31st, 1907, may be fixed as herein provided within ten days after this section goes into effect. The rate of interest shall be fixed by the Treasurer, the Auditor and the Mayor, and the same reported in writing to the Board of Supervisors immediately. Said rate of interest shall be a reasonable rate and not less than 2 per cent per annum on the daily balances deposited, and the rate of interest so established for each year as herein provided, shall be the uniform rate of interest required from all banks receiving deposits from the City and County for that year. Interest on all moneys deposited as herein provided for shall belong to the City and County and shall be paid quarterly into the general fund of the City and County except where the law or this Charter otherwise directs.

It shall be the duty of the Treasurer to receive from the bank in which the deposit is made, a receipt or receipts in duplicate, showing the date and amount of deposit and rate of interest to be paid thereon, one copy of which said Treasurer shall keep on file in his office and he shall file one copy with the Auditor.

The Treasurer shall keep a record in his office, which shall be open to public inspection, showing at all times the amount of money on deposit in all banks in which the same is deposited, and dates of deposit: also a record of all banks making application for the deposit of the public funds.

The total amount of public moneys on deposit in any bank shall not at any time exceed 50 per cent of the paid-up capital stock of such depository bank or banks. The Treasurer shall not have on deposit at any one time more than 10 per cent of the public moneys under his control and available for deposit in any bank while there are other qualified banks requesting such deposits, *provided*, that the Treasurer shall not be required to deposit public moneys in any bank outside of the City and County.

The receipt issued by any bank for deposits made therein, together with the bonds held as security therefor, shall be held by the Treasurer and be recognized and counted as cash to the amount recited in the receipt by the officers required by law to count the same.

Deposits, with interest thereon, shall be subject to withdrawal on demand of the Treasurer, conjointly with that of the Mayor, and any bank receiving the deposit of public moneys, may, at any time, return the same to the Treasurer, together with interest to date of return, and it shall be the duty of the Treasurer, upon receiving the return of such deposit, to immediately return to such bank all bonds held as security for the deposit returned. When the Treasurer withdraws his deposit, he shall return, on the demand of the bank, such bonds as were held as security for the deposit or portion thereof withdrawn.

Should any bank fail to pay any public moneys held on deposit as herein provided, the Treasurer (with the written consent of the Mayor) may, after ten days' written notice to such bank, proceed to sell at public or private sale such of the bonds held by him as security as he may see fit; *provided, however*, that he shall sell no bonds for less than their face value except at public sale, after ten days' printed notice in the official newspaper. The proceeds of such sale, after paying all expenses, shall be credited to the account of the bank, which deposits the bonds as collateral. Any bank failing to make payment may, at any time before the sale of the bonds is completed, stop such sale by repaying all the moneys deposited with it, together with any expense that may have been incurred by the Treasurer as the result of such failure. Should the proceeds of any such sale fail to fully repay any deposit, the balance remaining unpaid may be collected in an action at law in the name of the City and County.

The Treasurer shall not be responsible for any loss of public moneys resulting from the deposit thereof when made in accordance with the provisions of this act. It shall be the duty of the Treasurer to safely keep all evidence of indebtedness issued by banks for deposits made therein and bonds deposited as security and the Treasurer shall be responsible for such evidence of indebtedness and for bonds held as security therefor, together with the interest thereon and the proceeds of any sale of such bonds: and the Treasurer shall be responsible to such bank for the safe return of the securities furnished by it to the Treasurer.

The expenses of transportation of moneys to or from the Treasury to such depositories shall be borne by such depositories.

Nothing in this section contained shall prevent the City and County from buying bonds or otherwise investing its money in any manner now provided by law or this Charter and nothing herein contained as to the disposition of interest and public moneys deposited shall apply to any money received or held by the City and County wherein any law or this Charter provides for the payment of interest or profit thereon into any particular fund.

That Section 1 of Chapter VIII, Article IX, of said Charter be amended, and that a new section be added thereto, to read as follows.

CHAPTER VIII.

SALARIES AND VACATIONS.

SECTION 1. The officers and members of the Fire Department shall receive annual salaries as follows: Chief Engineer, five thousand dollars; First Assistant Chief Engineer, thirty-six hundred dollars; Second Assistant Chief Engineer, three thousand dollars; Battalion Chiefs, each, twenty-seven hundred dollars; Superintendent of Engines, twenty-seven hundred dollars; the Clerk and Commissary of the Corporation Yards, eighteen hundred dollars; Captains, each, eighteen hundred and sixty dollars; Lieutenants, each, seventeen hundred and ten dollars; Engineers, each, sixteen hundred and eighty dollars; Drivers, Stokers, Tillermen, Truckmen and Hosemen, for the first year of service, each, twelve hundred dollars, for the second year of service, each, thirteen hundred and twenty dollars; and for the third year of service, and thereafter, each, fourteen hundred and forty dollars; Hydrantmen, each, twelve hundred dollars; Superintendent of Horses, eighteen hundred and sixty dollars; Draymen, each, twelve hundred dollars; Watchmen, each, twelve hundred dollars; Hostlers, each, twelve hundred dollars; Pilots of Fire Boats, each, twenty-one hundred dollars; Engineer of Fire Boats, each, twenty-one hundred dollars; Firemen of Fire Boats, each, twelve hundred dollars.

SECTION 2. Each officer and member of the Fire Department shall be allowed, during each year of his service, a vacation of not less than fifteen days' duration, and also leaves of absence of not less than twenty-four hours' duration, not less times than once in each week. Said vacations and leaves of absence to be without loss of pay.

That Section 3 of Chapter VIII, Article IX, be amended to read as follows:

SECTION 3. The Commissioners shall, upon the application, duly verified, of any officer or member of the Fire Department who shall have served as an active member of the Fire Department for twenty-five years continuously next preceding the date of said application, or, of any officer or member of the Fire Department who shall have reached the age of fifty-five years, and shall have served as an active member of the Fire Department for twenty years continuously next preceding the date of said application, retire and relieve from service such officer or member; *provided also*, that the Commissioners may, by a unanimous vote, retire and relieve from service, any aged, disabled or infirm officer or member of the Fire Department who has arrived at the age of sixty years, and has served as an active member of the department for twenty years continuously next preceding such age, and who upon examination by two regularly certificated practicing physicians, appointed by the Commissioners for that purpose, may be ascertained to be by reason of such age, infirmity, or other disability, unfit for the performance of his duties. Such retired officer or member shall receive from the Fireman's Relief Fund a monthly pension equal to one-half the amount of the salary attached to the rank held by him for three years prior to the date of his retirement, and the same shall cease at his death.

That Section 1 of Chapter IV, Article IX, be amended to read as follows:

CHAPTER IV.

FIRE COMPANIES.

SECTION 1. Each Steam Fire Engine Company shall be composed of not more than one Captain, one Lieutenant, one Engineer, one Driver, one Stoker and Six Hosemen.

Each Hook and Ladder Company shall be composed of not more than one Captain, one Lieutenant, one Driver, one Tillerman and eight Truckmen.

Each Chemical Engine Company shall be composed of not more than one Captain, one Lieutenant, one Driver, and one Hoseman.

Each Water Tower Company shall be composed of not more than one Captain, one Lieutenant, one Driver, and one Hoseman.

Each Fire Boat Company shall be composed of not more than one Captain, one Lieutenant, two Pilots, two Engineers, three Firemen and twelve Hosemen.

That a new section to be known and designated as Section 4 be added to Chapter III, Article IX, to read as follows:

SECTION 4. The Chief Engineer may detail for duty as Chiefs' Operators such members of the Department as he may select, not to exceed one such Operator for each Chief, Assistant Chief and Battalion Chief. The members so detailed shall be known and ranked as Chiefs' Operators. Each of said Chiefs' Operators shall receive an annual salary of fifteen hundred dollars. They may be removed from such detail at any time, by the Chief Engineer.

That Section 1, Chapter V of Article VIII, of the Charter of the City and County of San Francisco, be amended to read as follows:

SECTION 1. Subordinate officers of the Police Department shall consist of Captains, who shall each receive an annual salary of twenty-four hundred dollars; Lieutenants, who shall each receive an annual salary of one thousand nine hundred and twenty dollars; Sergeants, who shall each receive an annual salary of one thousand six hundred and eighty dollars, and Corporals, who shall each receive an annual salary of one thousand five hundred and sixty dollars.

That Section 1, Chapter VI of Article VIII, of the Charter of the City and County of San Francisco, be amended to read as follows:

SECTION 1. The police force of the City and County shall not exceed one police officer for each five hundred inhabitants thereof. Police officers shall each receive an annual salary of one thousand four hundred and sixty-four dollars.

STATE OF CALIFORNIA }
CITY AND COUNTY OF SAN FRANCISCO } SS

This is to certify that we, Edward R. Taylor, Mayor of the City and County of San Francisco, and John E. Behau, Clerk of the Board of Supervisors of said City and County, have compared the foregoing proposed and ratified amendments to the Charter of the said City and County of San Francisco with the original proposals submitting the same to the electors of said City and County at a General Municipal Election held on Tuesday, the Fifth day of November One Thousand Nine Hundred and Seven, and find that the foregoing is a full, true, correct and exact copy thereof, and we further certify that the facts set forth in the preamble preceding said amendments to said Charter are and each of them is true.

IN WITNESS WHEREOF, we have hereunto set our hands and caused the same to be authenticated by the seal of said City and County of San Francisco, this 16th day of November One Thousand Nine Hundred and Seven.

EDWARD R. TAYLOR

Mayor of the City and County of San Francisco.

[SEAL]

JOHN E. BEHAN

Clerk of the Board of Supervisors of
the City and County of San Francisco.

Now, therefore be it

Resolved, by the Senate of the State of California, the Assembly thereof concurring (a majority of all of the members elected to each house voting for and concurring herein), That said amendments to the Charter of the City and County of San Francisco as proposed to and adopted and ratified by the electors of said City and County, and as hereinbefore fully set forth, be and the same are, and each of them is, hereby approved as a whole without amendment or alteration, for and as amendments to, and as part of the Charter of the City and County of San Francisco.

Concurrent resolution read.

The roll was called, and Senate Concurrent Resolution No. 1 adopted by the following vote:

AYES—Messrs. Barry, Baxter, Beban, Bell, Berry, Birdsall, Bishop, Boyle, Bush, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Fisher, Forbes, Fratessa, Hammon, Hans, Hartmann, Held, Hewitt, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Smyth, Snyder, Spalding, Stanton, Stetson, Strohl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—76.

NOES—None.

Senate Concurrent Resolution No. 1 ordered transmitted to the Senate.

ON JUDICIARY.

Mr. Johnson of Sacramento made a verbal report to the effect that the Committee on Judiciary was making progress in the matters before it, and had adjourned to meet again at two o'clock P. M., of this day.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Johnson of Sacramento:

Resolved, That the following named persons be and they are hereby appointed and employed to the positions hereinafter named and at the per diem set opposite their respective names; said per diem to be paid out of the appropriation for the contingent expenses of the Assembly of the State of California, and the State Controller is hereby authorized and directed to draw his warrant upon the said fund in favor of the said following named persons for the said sums per diem, and the State Treasurer is hereby authorized and directed to pay the same.

Z. F. Wharton, Clerk to Judiciary Committee, \$6.00 per day.

Phil Simmons, Sergeant-at-Arms to Committee, \$4.00 per day.

J. E. Pipher, Stenographer to Judiciary Committee, \$5.00 per day.

Each and all to date from November 19, 1907.

Resolution read.

The roll was called, and resolution adopted by the following vote:

AYES—Messrs. Barry, Baxter, Beban, Bell, Berry, Birdsall, Bishop, Boyle, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Fisher, Forbes, Fratessa, Hammon, Hans, Hartmann, Hewitt, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Smyth, Snyder, Spalding, Stanton, Stetson, Strohl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—74.

NOES—Mr. Bush—1.

By Mr. Estudillo:

Resolved, That the State Controller be, and he is hereby directed to draw his warrant in favor of Favero & Fisch for the sum of four hundred and ninety dollars, out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same; being in payment of rent from November 18, 1907, to November 23, 1907, inclusive, as per bill attached.

SACRAMENTO, CAL., November 19, 1907.

Sergeant-at-Arms of Assembly,

To Favero & Fisch

Hall rent and lights. from Nov. 18 to Nov. 23. inclusive, \$490

Resolution read.

The roll was called, and resolution adopted by the following vote:

AYES—Messrs. Barry, Baxter, Bell, Berry, Birdsall, Case, Chandler, Cogswell, Collister, Cormish, Costar, Cullen, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Fisher, Forbes, Fratessa, Hammon, Hartmann, Held, Hewitt, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McConnell, McGuire, McKeon, McMullin, O'Brien, Pierce, Pyle, Root, Sackett, Smith, Smyth, Snyder, Stanton, Stetson, Strohl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—65.

NOES—Messrs. Beban, Bishop, Boyle, Bush, Campbell, Percival, and Spalding—7.

By Mr. Berry:

Resolved, That the State Controller be, and he is hereby directed to draw his warrant in favor of H. Freyer, Treasurer of The Fraternal Brotherhood Lodge No. 418, for the sum of fifty dollars, out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same, being damage caused by inconvenience and expenses through having to change place and date of grand minstrel and ball which was to be held in Turner Hall, Thursday evening, November 21, 1907, as per bill attached.

SACRAMENTO, November 19, 1907.

The State of California from the Fraternal Brotherhood, Local 418

To damage caused by inconvenience and expenses through having to change place and date of grand minstrel and ball, which was to be held in Turner Hall, Thursday evening, November 21st..... \$50 00

Resolution read, and referred to Committee on Contingent Expenses and Accounts.

Also:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of four hundred and eighty dollars and ninety cents, in favor of J. T. Stafford, Sergeant-at-Arms of the Assembly, same being for the payment of the following bills attached, for the preparation of the Assembly for the Thirty-seventh (extra) Session, viz.

Labor	\$162 00
Stober Bros., plumbing	3 25
Globe Transfer Co., drayage	87 50
H. W. Rivett, canvas and carpet	45 30
Scott, Lyman & Stack, wiring and lamps	43 30
Lathrop & Johnson, carpenters	96 66
Wasserman, Gattman Co.	1 04
J. Breuner Co.	33 85
G. Sellinger, coal	2 00
S. Adams, towels	6 00
Total	\$480 90

Resolution read, and referred to Committee on Contingent Expenses and Accounts.

RESOLUTION ON MILEAGE CALLED UP.

On motion of Mr. Transue, the following resolution offered by the Committee on Mileage was called up for consideration:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named officers and mem-

bers of the Assembly for the amounts set opposite each of their names; and the State Treasurer is hereby ordered and directed to pay the same.

Name.	Residence.	Miles.	Amount.
Barry, D. W.	San Francisco	180	\$18 00
Baxter, E. N.	Wavona	438	43 80
Beardslee, R. L.	Stockton	96	9 60
Beban, D. J.	San Francisco	180	18 00
Beckett, S. H.	San Francisco	180	18 00
Bell, R. O.	Los Angeles	894	89 40
Berry, T. J. T.	Crescent City	728	72 80
Birdsall, E. S.	Auburn	72	7 20
Bishop, Clyde	Santa Ana	958	95 80
Boyle, P. J.	San Francisco	180	18 00
Bush, F. W.	Napa	122	12 20
Butler, E. I.	San Rafael	210	21 00
Campbell, P. C.	Richmond	164	16 40
Case, G. S.	Pasadena	912	91 20
Chandler, W. F.	Fowler	358	35 80
Cogswell, P. F.	El Monte	924	92 40
Coghlan, N. C.	San Francisco	180	18 00
Collister, S. W.	Occidental	212	21 20
Cornish, N. A.	Alturas	648	64 80
Costar, W. J.	Chico	192	19 20
Cullen, J. A.	San Francisco	180	18 00
Cutten, C. P.	Eureka	624	62 40
Davis, J. O.	Hollister	340	34 00
Devlin, F. R.	Vallejo	120	12 00
Drew, A. M.	Fresno	338	33 80
Eshleman, J. M.	Berkeley	168	16 80
Estudillo, M.	Riverside	1,024	102 40
Finney, J. W.	Downsville	238	23 80
Fisher, C. M.	San Francisco	180	18 00
Forbes, P. W.	Independence	932	93 20
Fratessa, P. F.	San Francisco	180	18 00
Hammon, P. V.	Los Angeles	894	89 40
Hans, G. J.	Fruitvale	180	18 00
Hartmann, F. Hugo	San Francisco	180	18 00
Held, W. D. L.	Ukiah	300	30 00
Hewitt, A. H.	Yuba City	116	11 60
Higgins, J. T.	Morgan Hill	296	29 60
John, W. M.	San Luis Obispo	686	68 60
Johnson, G. L.	Sacramento	2	20
Johnson, P. A.	San Diego	1,104	110 40
Jury, R. H.	San Mateo	224	22 40
Kelly, P. J.	San Francisco	180	18 00
Koblman, S. T.	San Francisco	180	18 00
Leeds, W. R.	Los Angeles	894	89 40
Lemon, W. F.	San Bernardino	1,016	101 60
Lucas, H. C.	Santa Cruz	396	39 60
Ludington, W. F.	San Diego	1,146	114 60
Lynch, E. J.	Walsh Station	32	3 20
McClellan, J. W.	Bridgeville	732	73 20
McConnell, J. I.	Woodland	46	4 60
McGuire, Wm. L.	Hanford	428	42 80
McKeon, John	San Francisco	180	18 00
McMullin, H. W.	Bakersfield	556	55 60
O'Brien, F. J.	Sacramento	16	1 60
Otis, Frank	Alameda	182	18 20
Percival, A. E.	Lodi	66	6 60
Pierce, Fred E.	Los Angeles	894	89 40
Pyle, E. M.	Santa Barbara	920	92 00
Root, G. W.	Grass Valley	148	14 80
Sackett, G. L.	Ventura	980	98 00
Smith, G. W.	Santa Clara	284	28 40
Smyth, F. H.	Lake	208	20 80
Snyder, G. F.	San Andreas	146	14 60
Spalding, C. C.	Sunnyvale	264	26 40
Stanton, P. A.	Los Angeles	894	89 40
Stetson, J. W.	Oakland	168	16 80
Strohl, Louis	San Francisco	180	18 00
Strobridge, E. K.	Haywards	196	19 60
Thompson, Henry	San Francisco	180	18 00
Thompson, N. W.	Los Angeles	910	91 00
Toomey, D. J.	San Francisco	180	18 00
Transue, J. P.	Los Angeles	894	89 40

Name.	Residence	Miles.	Amount.
Vogel, Mel.	San Francisco	180	\$18 00
Walsh, P. M.	Oakland	168	16 80
Weske, H. W. A.	Santa Rosa	180	18 00
Wessling, John	San Francisco	180	18 00
Whitmore, R. K.	Modesto	154	15 40
Wilson, J. A.	San Francisco	180	18 00
Wyatt, J. J.	Salinas City	416	41 60

Contingent Expenses.

Clio Lloyd	Santa Barbara	920	\$92 00
C. S. MacMullan	Oakland	168	16 80
C. S. MacMullan	Two days' services at \$6 per diem		12 00
J. T. Stafford	Sacramento	2	20

Resolution read.

Mr. Transue moved the adoption of the resolution.

AMENDMENTS.

Mr. Bell moved to amend the resolution by striking out the following words and figures:

Bell, R. O , Los Angeles, 894 miles, \$89.40.

Amendment adopted.

Mr. Johnson of Sacramento moved to amend the resolution by striking out the following words and figures:

Johnson, G. L., Sacramento, 2 miles, 20 cents.

Amendment adopted.

Mr. O'Brien moved to amend the resolution by striking out the following words and figures:

O'Brien, F. J., Sacramento, 16 miles, \$1.60.

Amendment adopted.

Mr. Hans, by request of the Sergeant-at-Arms, moved to amend the resolution by striking out the following words and figures:

J. T. Stafford, Sacramento, 2 miles, 20 cents.

Amendment adopted.

Mr. Devlin moved to amend the resolution by striking out opposite the name and address: "Devlin, F. R., Vallejo," the figures and words "120 miles, \$12.00," and inserting in lieu thereof the following: "80 miles, \$8.00."

Amendment adopted.

Mr. Transue moved the adoption of the resolution as amended, which follows:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite each of their names, and the State Treasurer is hereby ordered and directed to pay the same.

Name.	Residence.	Miles.	Amount
Barry, D. W.	San Francisco	180	\$18 00
Baxter, E. N.	Wawona	438	43 80
Beardslee, R. L.	Stockton	96	9 60
Beban, D. J.	San Francisco	180	18 00
Beckett, S. H.	San Francisco	180	18 00
Berry, T. J. T.	Crescent City	728	72 80
Birdsall, E. S.	Auburn	72	7 20
Bishop, Clyde	Santa Ana	958	95 80
Boyle, P. J.	San Francisco	180	18 00

Name	Residence.	Miles.	Amount.
Bush, F. W.	Napa	122	\$12 20
Butler, E. I.	San Rafael	210	21 00
Campbell, P. C.	Richmond	164	16 40
Case, G. S.	Pasadena	912	91 20
Chandler, W. F.	Fowler	358	35 80
Cogswell, P. F.	El Monte	924	92 40
Coghlan, N. C.	San Francisco	180	18 00
Collister, S. W.	Occidental	212	21 20
Cornish, N. A.	Alturas	648	64 80
Costar, W. J.	Chico	192	19 20
Cullen, J. A.	San Francisco	180	18 00
Cutten, C. P.	Eureka	624	62 40
Davis, J. O.	Hollister	340	34 00
Devlin, F. R.	Vallejo	80	8 00
Drew, A. M.	Fresno	338	33 80
Eshleman, J. M.	Berkeley	168	16 80
Estudillo, M.	Riverside	1,024	102 40
Finney, J. W.	Downieville	238	23 80
Fisher, C. M.	San Francisco	180	18 00
Forbes, P. W.	Independence	932	93 20
Fratessa, P. F.	San Francisco	180	18 00
Hammon, P. V.	Los Angeles	894	89 40
Hans, G. J.	Fruitvale	180	18 00
Hartmann, F. Hugo	San Francisco	180	18 00
Held, W. D. L.	Ukiah	300	30 00
Hewitt, A. H.	Yuba City	116	11 60
Higgins, J. T.	Morgan Hill	296	29 60
John, W. M.	San Luis Obispo	686	68 60
Johnson, P. A.	San Diego	1,104	110 40
Jury, R. H.	San Mateo	224	22 40
Kelly, P. J.	San Francisco	180	18 00
Kohlman, S. T.	San Francisco	180	18 00
Leeds, W. R.	Los Angeles	894	89 40
Lemon, W. F.	San Bernardino	1,016	101 60
Lucas, H. C.	Santa Cruz	396	39 60
Ludington, W. F.	San Diego	1,146	114 60
Lynch, E. J.	Walsh Station	32	3 20
McClellan, J. W.	Bridgeville	732	73 20
McConnell, J. J.	Woodland	46	4 60
McGuire, Wm. L.	Hanford	428	42 80
McKeon, John	San Francisco	180	18 00
McMullin, H. W.	Bakersfield	556	55 60
Otis, Frank	Alameda	182	18 20
Percival, A. E.	Lodi	66	6 60
Pierce, Fred E.	Los Angeles	894	89 40
Pyle, E. M.	Santa Barbara	920	92 00
Root, G. W.	Grass Valley	148	14 80
Sackett, G. L.	Ventura	980	98 00
Smith, G. W.	Santa Clara	284	28 40
Smyth, F. H.	Lake	208	20 80
Snyder, G. F.	San Andreas	146	14 60
Spalding, C. C.	Sunnyvale	264	26 40
Stanton, P. A.	Los Angeles	894	89 40
Stetson, J. W.	Oakland	168	16 80
Strohl, Louis	San Francisco	180	18 00
Strobridge, E. K.	Haywards	196	19 60
Thompson, Henry	San Francisco	180	18 00
Thompson, N. W.	Los Angeles	910	91 00
Toomey, D. J.	San Francisco	180	18 00
Transue, J. P.	Los Angeles	894	89 40
Vogel, Mel	San Francisco	180	18 00
Walsh, P. M.	Oakland	168	16 80
Weske, H. W. A.	Santa Rosa	180	18 00
Wessling, John	San Francisco	180	18 00
Whitmore, R. K.	Modesto	154	15 40
Wilson, J. A.	San Francisco	180	18 00
Wyatt, J. J.	Salinas City	416	41 60

Contingent Expenses

Olio Lloyd	Santa Barbara	920	\$92 00
C. S. MacMullan	Oakland	168	16 80
C. S. MacMullan	Two days' services at \$6 per diem		12 00

The roll was called, and the resolution, as amended, adopted by the following vote:

AYE—Messrs. Barry, Baxter, Beban, Bell, Berry, Birdsall, Bishop, Boyle, Bush, Campbell, Case, Chandler, Cogswell, Coghlan, Colhister, Cornish, Costar, Cullen, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Fisher, Forbes, Fratessa, Hammon, Hans, Hartmann, Held, Hewitt, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jurv, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Smyth, Snyder, Spalding, Stanton, Stetson, Strobl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—76.

NOES—None.

CONSIDERATION OF RESOLUTIONS POSTPONED.

On motion of Mr. Stanton, the further consideration of Assembly Concurrent Resolution No. 1 and the resolution offered by Mr. Held, on Wednesday, November 20, 1907, was postponed until Friday, November 22, 1907, subject to call.

SENATE MESSAGES.

On motion of Mr. Johnson of Sacramento, the following Senate messages were taken up and read:

SENATE CHAMBER, SACRAMENTO, November 20, 1907

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following, as cases of urgency:

Senate Bill No. 5—An Act making an appropriation to pay the claims for services of the National Guard of California and other expenses incurred by the Adjutant-General, under direction of the Governor, arising and growing out of the labor troubles and strikes in the City of San Francisco in the months of May, June and July, 1907.

Also, Senate Bill No. 6—An Act making an appropriation for the contingent expenses of the Governor's office for the fifty-ninth and sixtieth fiscal years in addition to such sums as have been heretofore appropriated.

Also, Senate Bill No. 7—An Act to amend Section 5 of the Act entitled "An Act to provide for the issuance and sale of State bonds to create a fund for the acquisition by the Board of State Harbor Commissioners of a necessary area for a tidal basin for wharves, piers, harbors and appurtenances in the City and County of San Francisco; to create a sinking fund for the payment of said bonds, and defining the duties of State officers in relation thereto, making an appropriation of one thousand dollars for the expense of printing said bonds; and providing for a submission of this Act to a vote of the people," approved March 21, 1907, relating to the redemption of such bonds and creating a sinking fund for such purpose, and adding a new section to said Act, to be numbered Section 10, relating to the publication of said Act, and providing for the payment of the cost of publication of the same.

Also, Senate Bill No. 12—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the extra session of the Thirty-seventh Legislature, and directing the State Controller and State Treasurer to make such transfer.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

The above reported bills were referred to the Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, November 21, 1907

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following as a case of urgency:

Committee Substitute for Senate Bill No. 11—An Act to add a new section to the Political Code of the State of California, to be numbered Section 3757, relating to the extension of the time for payment of taxes and the postponement of the delinquency of taxes for non-payment, and postponement of the duties of all persons and public officers in connection therewith.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

Committee Substitute for Senate Bill No. 11 referred to Committee on Judiciary.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes A. M., on motion of Mr. Johnson of Sacramento, the Speaker declared the Assembly adjourned until ten o'clock A. M. of Friday, November 22, 1907.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

Friday, November 22, 1907.

At ten o'clock A. M., pursuant to adjournment, the Assembly was called to order.

Hon. R. L. Beardslee, Speaker of the Assembly, in the chair.

The roll was called, and the following members answered to their names:

Messrs. Baxter, Beban, Bell, Berry, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costain, Cullen, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Fisher, Forbes, Hammon, Hans, Hartmann, Held, Hewitt, Higgins, John, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Smyth, Snyder, Spalding, Stanton, Stetson, Strohl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Walsh, Weske, Westling, Whitmore, Wyatt, and Mr. Speaker—73.

Quorum present.

PRAYER.

Prayer was offered by the Rev. C. T. Clark of Sacramento.

READING OF THE JOURNAL.

During the reading of the Journal, its further reading was dispensed with, on motion of Mr. Fisher.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, November 22, 1907.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 5—An Act making an appropriation to pay the claims for services of the National Guard of California and other expenses incurred by the Adjutant-General under direction of the Governor, arising and growing out of the labor troubles and strikes in the City of San Francisco in the months of May, June, and July, 1907.

Also: Senate Bill No. 6—An Act making an appropriation for the contingent expenses of the Governor's office for the fifty-ninth and sixtieth fiscal years, in addition to such sums as have been heretofore appropriated.

Also: Senate Bill No. 7—An Act to amend Section 5 of the Act entitled "An Act to provide for the issuance and sale of State bonds to create a fund for the acquisition by the Board of State Harbor Commissioners of a necessary area for a tidal basin for wharves, piers, harbors, and appurtenances in the City and County of San Francisco; to create a sinking fund for the payment of said bonds, and defining the duties of State officers in relation thereto, making an appropriation of one thousand dollars for the expense of printing said bonds, and providing for the submission of this Act to a vote of the people," approved March 21, 1907, relating to the redemption of such bonds and

creating a sinking fund for such purpose, and adding a new section to said Act to be numbered Section 104, relating to the publication of said Act, and providing for the payment of the cost of publication of the same.

Also: Senate Bill No. 12—An Act transferring money from the General Fund to the State Printing Fund to defray the expense of legislative printing for the extra session of the Thirty-seventh Legislature, and directing the State Controller and State Treasurer to make such transfer.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass

ESTUDILLO, Chairman

The above reported bills ordered on file for second reading.

ON CONTINGENT EXPENSES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, November 22, 1907.

MR. SPEAKER Your Committee on Contingent Expenses and Accounts, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of four hundred and eighty dollars and ninety cents, in favor of J. T. Stafford, Sergeant-at-Arms of the Assembly, same being for the payment of the following bills attached, for the preparation of the Assembly for the Thirty-seventh (extra) Session, viz

Labor	\$162 00
Stober Bros., plumbing	3 25
Globe Transfer Co., drayage	87 50
H. W. Rivett, canvas and carpet	45 30
Scott, Lyman & Stack, wiring and lamps	43 30
Lathrop & Johnson, carpenters	96 66
Wasserman, Gattman Co.	1 04
J. Breuner Co.	33 85
G. Sellinger, coal	2 00
S. Adams, towels	6 00
Total	\$480 90

Have had the same under consideration, and respectfully report the same back and recommend that it do pass.

BERRY, Chairman.

Mr. Berry moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Belan, Bell, Berry, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Collister, Cornish, Costar, Cullen, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Fisher, Forbes, Fratessa, Hans, Hewitt, Higgins, John, Jury, Kelly, Leeds, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, O'Brien, Percival, Pierce, Pyle, Root, Sackett, Smith, Smyth, Snyder, Spalding, Stanton, Steison, Strohl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Walsh, Weske, Wessling, Whirmore, Wilson, Wyatt, and Mr. Speaker—68.

NOES—None.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, November 22, 1907.

MR. SPEAKER Your Committee on Contingent Expenses and Accounts, to whom was referred the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of H. Freyer, Treasurer of The Fraternal Brotherhood Lodge No. 418, for the sum of fifty dollars, out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same; being damage caused by inconvenience and expenses through having to change place and date of grand minstrel and ball which was to be held in Turner Hall, Thursday evening, November 21, 1907, as per bill attached

SACRAMENTO, November 19, 1907.

The State of California from the Fraternal Brotherhood, Local 418

To damage caused by inconvenience and expenses through having to change place and date of grand minstrel and ball, which was to be held in Turner Hall, Thursday evening, November 21st..... \$50 00

Have had the same under consideration, and respectfully report the same back and recommend that it do pass.

BERRY, Chairman.

Mr. Berry moved the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Messrs. Beban, Bell, Berry, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Cutten, Devlin, Drew, Estudillo, Finney, Fisher, Fratessa, Hammon, Hans, Hartmann, Held, Hewitt, Higgins, John, Johnson of Sacramento, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Smyth, Snyder, Spalding, Stanton, Stetson, Strohl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Transue, Vogel, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—70
 NOES—Messrs. Davis and Eshleman—2.

MESSAGE FROM THE SENATE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, November 21, 1907.

MR. SPEAKER: I am directed to inform your honorable body, that the Senate on this day passed the following: Senate Concurrent Resolution No. 4—Relative to printing an edition of five thousand copies of the laws and amendments to the Codes, passed at this extra (thirty-seventh) session.

LEWIS A. HILBORN, Secretary of the Senate.
 By J. W. KAVANAGH, Assistant Secretary.

Mr. McGuire moved that the Assembly proceed forthwith to consider Senate Concurrent Resolution No. 4.

Motion carried.

SENATE CONCURRENT RESOLUTION NO. 4.

Resolved by the Senate, the Assembly concurring, That the Superintendent of State Printing be instructed to cause to be printed an edition of five thousand copies of the laws and amendments to the codes, passed at this extra session, to be indexed by the Secretary of State, the same to be stitched and paper covered, and to be delivered to the Secretary of State for free distribution, twenty of which copies he shall send to each Senator and Member of the Assembly, which shall be paid for out of the appropriation for legislative printing

Senate Concurrent Resolution No. 4 read.

The roll was called, and the report and Senate Concurrent Resolution No. 4 adopted by the following vote:

AYES—Messrs. Barry, Berry, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Davis, Devlin, Drew, Eshleman, Estudillo, Fisher, Forbes, Fratessa, Hammon, Hans, Hartmann, Held, Hewitt, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Snyder, Spalding, Stanton, Stetson, Strohl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Transue, Walsh, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—69.

NOES—None.

Senate Concurrent Resolution No. 4 ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES—(RESUMED)

The following report of standing committee was received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, November 22, 1907.

MR. SPEAKER. Your Committee on Judiciary, to whom was referred Assembly Bill No. 1—An Act to amend Section 10 of the Code of Civil Procedure, relating to holidays—report the same back with one amendment, and recommend its passage as amended.

Also: Assembly Bill No. 2—An Act to amend Sections 134 and 135 of the Code of Civil Procedure, both relating to judicial days—report the same back with one amendment, and recommend its passage as amended.

Also: Assembly Bill No. 3—An Act to amend Section 10 of the Political Code, relating to holidays—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

Also: Assembly Bill No. 4—An Act to amend Section 7 of the Civil Code, relating to holidays—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

Also Assembly Bill No. 5—An Act to add a new section to the Political Code of the State of California to be known and numbered as Section 3900a, relating to the postponing of the collection or payment of taxes, the postponing of delinquency for non-payment of same, the postponing of penalties, forfeitures or fines for non-payment of same, the postponing of entry of penalty for such delinquency, the postponing of time of preparing delinquent lists for unpaid taxes and the duties of all persons and public officers in connection therewith, in the event of general financial stringency—report the same back and recommend it do not pass, because Senate Bill No. 11 covers the ground.

JOHNSON of Sacramento, Chairman.

The above reported bills ordered on file for second reading.

CONSIDERATION OF BILLS OUT OF ORDER

On motion of Mr. Johnson of Sacramento, the above reported bills were taken up for second reading.

SECOND READING OF BILLS.

Assembly Bill No. 1—An Act to amend Section 10 of the Code of Civil Procedure, relating to holidays.

During the second reading of the bill the following amendment was submitted by the committee:

Strike out the words "that such" in line 20, page 2 of the printed bill, and insert in lieu thereof the word "this."

Amendment adopted.

Bill read second time, and ordered to reprint and engrossment.

Assembly Bill No. 2—An Act to amend Sections 134 and 135 of the Code of Civil Procedure, both relating to judicial days.

During the second reading of the bill the following amendment was submitted by the committee:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. Section one hundred and thirty-four of the Code of Civil Procedure is hereby amended to read as follows

134. No Superior or Justice Court shall be opened for the transaction of judicial business on any Sunday, the first day of January, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the ninth day of September, the first Monday of September, the twenty-fifth day of December, or on any day on which an election is held throughout the State, or on any day appointed by the President of the United States, or by the Governor of this State for a public fast or thanksgiving, except for the following purposes:

1. To give, upon their request, instructions to a jury when deliberating on their verdict.

2. To receive a verdict or discharge a jury.

3. For the exercise of the powers of a magistrate in a criminal action, or in a proceeding of a criminal nature.

4. For the issuance of writs of injunction or of prohibition.

Any judicial business, civil or criminal, shall be transacted by such courts on any and all other days than those hereinbefore enumerated, except that no suit on contract, express or implied, for the direct payment of money, shall be heard or determined on any holiday.

SEC. 2 Section 135 of the Code of Civil Procedure is hereby amended to read as follows

135 If any day mentioned in Section 10 of this Code, other than a special holiday, as such term, special holiday, is therein used, be a day appointed for the holding or sitting of any court, other than the Supreme Court or the respective District Courts of Appeal, such court is deemed adjourned to the next succeeding judicial day.

SEC. 3 This Act shall take effect and be in force from and after twelve o'clock M. on the second day of December, one thousand nine hundred and seven

Amendment pending.

Bill ordered to reprint and to retain its place on file.

Assembly Bill No. 3—An Act to amend Section 10 of the Political Code, relating to holidays.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 4—An Act to amend Section 7 of the Civil Code, relating to holidays.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 5—An Act to add a new section to the Political Code of the State of California to be known and numbered as Section 3900a, relating to the postponing of collection or payment of taxes, the postponing of delinquency for non-payment of same, the postponing of penalties, forfeitures or fines for non-payment of same, the postponing of time of preparing delinquent lists for unpaid taxes, and the duties of all persons and public officers in connection therewith, in the event of general financial stringency.

Bill read second time, and ordered to engrossment.

REPORT OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, November 22, 1907.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Committee Substitute for Senate Bill No. 11—An Act to add a new section to the Political Code of the State of California, to be numbered Section 3757, relating to the extension of the time for payment of taxes and the postponement of the delinquency of taxes for non-payment, and postponement of the duties of all persons and public officers in connection therewith—report the same back with eight amendments, and recommend its passage as amended.

JOHNSON of Sacramento, Chairman

Bill ordered on file for second reading.

SECOND READING OF BILL—(OUT OF ORDER).

On motion of Mr. Johnson of Sacramento, Committee Substitute for Senate Bill No. 11 was taken up for second reading.

Committee Substitute for Senate Bill No. 11—An Act to add a new section to the Political Code of the State of California, to be known and numbered as Section 3757, relating to the postponing of the collection or payment of taxes, the postponing of delinquency for non-payment of same, the postponing of penalties, forfeitures or fines for non-payment of same, the postponing of entry of penalty for such delinquency, the postponing of time of preparing delinquent lists for unpaid taxes, and the duties of all persons and public officers in connection therewith, in the event of general financial stringency.

During the second reading of the bill, the following amendments were submitted by the committee:

AMENDMENT No. 1.

After the word "SIX" in line 10 of Section 1 of page 1 of the printed bill, insert the word "o'clock"

Amendment adopted.

AMENDMENT No. 2.

Strike out the word "above" in line 17 of Section 1, page 2 of the printed bill.

Amendment adopted.

AMENDMENT No. 3.

Insert the words "by law" after the word "vided," in line 18, Section 1, page 2 of the printed bill.

Amendment adopted.

AMENDMENT No. 4.

After the word "duty" in line 22 of Section 1, page 2 of the printed bill, insert the words "imposed by law."

Amendment adopted.

AMENDMENT No. 5.

Strike out the words "matters herein enumerated and imposed by law," in lines 23 and 24 of Section 1, page 2 of the printed bill, and insert in lieu thereof as follows: "collection of the first installment of said taxes and the fifteen per cent penalty for delinquency thereof and the settlement therefor."

Amendment adopted.

AMENDMENT No. 6.

After the word "sixty" in line 24, Section 1, page 2 of the printed bill, insert the word "three."

Amendment adopted.

AMENDMENT No. 7.

Strike out the naught, in line 24 of page 2 of Section 1 of the printed bill, and insert the figure "3."

Amendment adopted.

AMENDMENT No. 8.

Strike out all of line 31 of Section 1, page 2 of the printed bill and insert in lieu thereof as follows: "shall have no other or further effect, except as herein provided."

Amendment adopted.

The following amendment was submitted by Mr. Drew:

Strike out the word "January" and insert "December," in line 2, page 1 of printed bill.

Amendment lost.

Bill read second time, and ordered to reprint and on file for third reading.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, November 20, 1907.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Joint Resolution No. 1—Relative to the passage of an Act by Congress suspending the provisions of Section 2324 of the Revised Statutes of the United States, relative to annual work on mining claims.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

Mr. Transue moved the adoption of Senate Joint Resolution No. 1.
Motion duly seconded.

POINT OF ORDER.

Mr. Drew made the point of order that the resolution was not germane to the Executive call convening the Legislature in extraordinary session.
The Speaker ruled that the point of order was not well taken.

SENATE JOINT RESOLUTION No. 1.

Relative to the passage of an Act by Congress suspending the provisions of Section 2324 of the Revised Statutes of the United States, relative to annual work on mining claims.

WHEREAS, The financial stringency now being experienced in the State of California, as well as in adjoining states, has worked great hardship upon those persons who annually contribute to a large amount of money for the performance of the annual labor upon mining claims as required by the provisions of Section 2324 of the Revised Statutes of the United States.

Resolved, therefore, by the Senate of the State of California and Assembly jointly, That our Senators and Representatives in Congress be requested to use all honorable means to secure the passage of legislation by the Congress next to convene, suspending the operation for the years 1907 and 1908, of that portion of the Revised Statutes of the United States, Section 2324 thereof, requiring the expenditure annually of one hundred dollars in labor and improvements upon unpatented mining claims, similar legislation having been enacted by Congress in the years 1893 and 1894, be it therefore

Resolved, That the Secretary of the Senate be and is hereby directed to transmit a copy of this resolution to each of our Senators and Representatives in Congress.

SPECIAL ORDER SET.

On motion of Mr. Davis, the consideration of Senate Joint Resolution No. 1 was made a special order for four o'clock P. M. of this day.

SUBSTITUTION OF BILLS.

Mr. Estudillo moved that Senate Bill No. 6—An Act making an appropriation for the contingent expenses of the Governor's office for the fifty-ninth and sixtieth fiscal years, in addition to such sums as have been heretofore appropriated—be substituted on file for Assembly Bill No. 6, they being identical.

Also. That Senate Bill No. 5—An Act making an appropriation to pay the claims for services of the National Guard of California and other expenses incurred by the Adjutant-General, under direction of the Governor, arising and growing out of the labor troubles and strikes in the City of San Francisco in the months of May, June and July, 1907—be substituted on file for Assembly Bill No. 7, they being identical.

Also: That Senate Bill No. 12—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the extra session of the Thirty-seventh Legislature, and directing the State Controller and State Treasurer to make such transfer—be substituted for Assembly Bill No. 8, they being identical.

Motion carried.

URGENCY RESOLUTION.

The following resolution was offered by Mr. Estudillo.

Resolved, That Senate Bills No. 5, 6, 7, and 12 present a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

Resolution read.

Mr. Estudillo moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Beban, Bell, Berry, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Fisher, Forbes, Fratesca, Hammon, Hans, Hartmann, Held, Hewitt, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Leeds, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Snyder, Spalding, Stanton, Stetson, Strohl, Thompson of San Francisco, Thompson of Los Angeles, Transue, Vogel, Walsh, Weske, Whitmore, Wilson, Wyatt, and Mr. Speaker—68.

NOES—None

SECOND READING OF SENATE BILLS.

Senate Bill No. 5—An Act making an appropriation to pay the claims for services of the National Guard of California, and other expenses

incurred by the Adjutant-General, under direction of the Governor, arising and growing out of the labor troubles and strikes in the City of San Francisco in the months of May, June and July, 1907.

Bill read second time.

Senate Bill No. 6—An Act making an appropriation for the contingent expenses of the Governor's office for the fifty-ninth and sixtieth fiscal years, in addition to such sums as have been heretofore appropriated.

Bill read second time.

Senate Bill No. 7—An Act to amend Section 5 of the Act entitled "An Act to provide for the issuance and sale of State bonds to create a fund for the acquisition by the Board of State Harbor Commissioners of a necessary area for a tidal basin for wharves, piers, harbors and appurtenances in the City and County of San Francisco; to create a sinking fund for the payment of said bonds; and defining the duties of State officers in relation thereto; making an appropriation of one thousand dollars for the expense of printing said bonds; and providing for the submission of this Act to a vote of the people," approved March 21, 1907, relating to the redemption of such bonds and creating a sinking fund for such purpose, and adding a new section to said Act to be numbered Section 10½, relating to the publication of said Act, and providing for the payment of the cost of publication of the same.

Bill read second time.

Senate Bill No. 12—An Act transferring money from the General Fund to the State Printing Fund to defray the expenses of legislative printing for the extra session of the Thirty-seventh Legislature, and directing the State Controller and State Treasurer to make such transfer.

Bill read second time.

MOTION.

Mr. Estudillo moved that the Assembly resolve itself into the Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 5, 6, 7, and 12.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon R. L. Beardslee, Speaker of the Assembly, in the chair.

Senate Bills Nos. 5, 6, 7, and 12 considered.

Mr. Estudillo moved that the committee do now rise and report in favor of the passage of the bills.

Motion carried.

IN ASSEMBLY.

Speaker Beardslee in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

The following report of the Committee of the Whole was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, November 22, 1907.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 5—An Act making an appropriation to pay the claims for services of the National Guard of California and other expenses incurred by the Adjutant-General, under direction of the Governor, arising and growing out of the labor troubles and strikes in the City of San Francisco in the months of May, June and July, 1907.

Also Senate Bill No. 6—An Act making an appropriation for the contingent expenses of the Governor's office for the fifty-ninth and sixtieth fiscal years in addition to such sums as have been heretofore appropriated.

Also Senate Bill No. 7—An Act to amend Section 5 of the Act entitled "An Act to provide for the issuance and sale of State bonds to create a fund for the acquisition by the Board of State Harbor Commissioners of a necessary area for a tidal basin for wharves, piers, harbors and appurtenances in the City and County of San Francisco, to create a sinking fund for the payment of said bonds, and defining the duties of State officers in relation thereto; making an appropriation of one thousand dollars for the expense of printing said bonds, and providing for a submission of this Act to a vote of the people," approved March 21, 1907, relating to the redemption of such bonds and creating a sinking fund for such purpose, and adding a new section to said Act, to be numbered Section 10½, relating to the publication of said Act, and providing for the payment of the cost of publication of the same.

Also Senate Bill No. 12—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the extra session of the Thirty-seventh Legislature, and directing the State Controller and State Treasurer to make such transfer.

And do now report the same back, and recommend that they do pass.

BEARDSLEE, Chairman.

Bills ordered to third reading.

THIRD READING OF SENATE BILLS.

Senate Bill No. 5—An Act making an appropriation to pay the claims for services of the National Guard of California and other expenses incurred by the Adjutant-General, under direction of the Governor, arising and growing out of the labor troubles and strikes in the City of San Francisco in the months of May, June, and July, 1907.

Bill read third time.

Mr. McMullin moved to re-refer the bill to the San Francisco Delegation.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Barry, Beban, Berry, Birdsall, Bishop, Boyle, Bush, Campbell, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Cutton, Davis, Devlin, Eshleman, Estradillo, Fisher, Forbes, Fratessa, Hans, Hartmann, Held, John, Johnson of Sacramento, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, McConnell, McGuire, McKeon, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Snyder, Stanton, Stetson, Strohl, Strobbridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Walsh, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—42.

NOES—Messrs. Butler, Case, Chandler, Drew, Finney, Hammon, Hewitt, Higgins, Johnson of San Diego, Lynch, and Spalding—11.

Senate Bill No. 6—An Act making an appropriation for the contingent expenses of the Governor's office for the fifty-ninth and sixtieth fiscal years in addition to such sums as have been heretofore appropriated.

Bill read third time.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Beban, Bell, Berry, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Coghlan, Collister, Costar, Cullen, Cutton, Davis, Devlin, Drew, Eshleman, Estradillo, Finney, Fisher, Forbes, Fratessa, Hans, Hartmann, Held, Hewitt, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McConnell, McGuire, McKeon, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Smith, Snyder, Spalding, Stanton, Stetson, Strohl, Strobbridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Walsh, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Senate Bill No. 12—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the extra session of the Thirty-seventh Legislature and directing the State Controller and State Treasurer to make such transfer.

Bill read third time.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Baxter, Bell, Berry, Birdsall, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Costar, Cullen, Cullen, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Forbes, Fratessa, Hammon, Hans, Hartmann, Held, Hewitt, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McConnell, McGuire, McKeon, McMullin, O'Brien, Onis, Percival, Pierce, Pyle, Root, Sackett, Smith, Snyder, Spalding, Stanton, Stetson, Strohl, Strobeidge, Thompson of San Francisco, Thompson of Los Angeles, Transue, Walsh, Weske, Whitmore, Wilson, Wyatt, and Mr. Speaker—76.

NOES—Mr. Bishop—1.

Title read and approved.

Bill ordered transmitted to the Senate.

RECESS.

At twelve o'clock and six minutes P. M., on motion of Mr. Eshleman, the Assembly was declared at recess until three o'clock P. M.

REASSEMBLED.

At three o'clock P. M. the Assembly reconvened.
Speaker R. L. Beardslee in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 7—An Act to amend section five of the Act entitled "An Act to provide for the issuance and sale of State bonds to create a fund for the acquisition by the Board of State Harbor Commissioners of a necessary area for a tidal basin for wharves, piers, harbors, and appurtenances in the City and County of San Francisco; to create a sinking fund for the payment of said bonds; and defining the duties of State officers in relation thereto; making an appropriation of one thousand dollars for the expense of printing said bonds; and providing for the submission of this Act to a vote of the people," approved March 21, 1907, relating to the redemption of such bonds and creating a sinking fund for such purpose, and adding a new section to said Act to be numbered Section 10½, relating to the publication of said Act, and providing for the payment of the cost of publication of the same.

During the third reading of the bill Mr. Coghlan moved that a select committee of one be appointed to amend the bill as follows:

AMENDMENT No. 1.

Strike out the word "said" in line one, section one, page one of the printed bill, and insert in lieu thereof as follows: "An Act entitled 'An Act to provide for the issuance and sale of State bonds to create a fund for the acquisition by the Board of State Harbor Commissioners of a necessary area for a tidal basin for wharves, piers, harbors, and appurtenances in the City and County of San Francisco; to create a sinking fund for the payment of said bonds; and defining the duties of State officers in relation thereto, making an appropriation of one thousand dollars for the expense of printing said bonds; and providing for the submission of this Act to a vote of the people,' approved March 21, 1907."

AMENDMENT No. 2.

Strike out the word "said" in line one, section two, page three of the printed bill, and insert in lieu thereof as follows: "An Act entitled 'An Act to provide for the issuance and sale of State bonds to create a fund for the acquisition by the Board of State Harbor Commissioners of a necessary area for a tidal basin for wharves, piers, harbors, and appurtenances in the City and County of San Francisco, to create a sinking fund for the payment of said bonds, and defining the duties of State officers in relation thereto; making an appropriation of one thousand dollars for the expense of printing said bonds; and providing for the submission of this Act to a vote of the people,' approved March 21, 1907."

Mr. Coghlan was appointed as such select committee.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, November 22, 1907.

MR SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 7—An Act to amend Section 5 of the Act entitled "An Act to provide for the issuance and sale of State bonds to create a fund for the acquisition by the Board of State Harbor Commissioners of a necessary area for a tidal basin for wharves, piers, harbors and appurtenances in the City and County of San Francisco; to create a sinking fund for the payment of said bonds; and defining the duties of State officers in relation thereto; making an appropriation of one thousand dollars for the expense of printing said bonds, and providing for a submission of this Act to a vote of the people," approved March 21, 1907, relating to the redemption of such bonds and creating a sinking fund for such purpose, and adding a new section to said Act, to be numbered Section 10½, relating to the publication of said Act, and providing for the payment of the cost of publication of the same—with instructions, does now report that the instructions of the Assembly have been carried out.

COGHLAN, Select Committee.

Report of select committee and amendments adopted.

Bill read third time, and ordered to reprint and on file for passage.

CORRECTION OF JOURNAL.

Mr. Johnson of Sacramento moved to correct the Journal of Thursday, November 21, 1907, by striking out of the fifth line from bottom of page 9 the word "Judiciary" and inserting in lieu thereof the word "to"

So ordered.

RESOLUTION—(OUT OF ORDER).

By unanimous consent, the following concurrent resolution was received and read:

By Mr. Estudillo:

Resolved by the Assembly, the Senate concurring. That the two houses of the Legislature adjourn *sine die* at twelve o'clock noon, on Saturday, November 23, 1907.

Resolution referred to Committee on Ways and Means.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

SAN FRANCISCO DELEGATION.

ASSEMBLY CHAMBER, SACRAMENTO, November 22, 1907.

MR SPEAKER: Your Committee of San Francisco Delegation, to whom was referred Senate Bill No. 5—An Act making an appropriation to pay the claims for services of the National Guard of California and other expenses incurred by the Adjutant-General, under the direction of the Governor, arising and growing out of the labor troubles and strikes in the City of San Francisco in the months of May, June and July, 1907—have had the same under consideration, and respectfully report the same back without recommendation.

STROHL, Chairman.

FINAL PASSAGE OF BILL.

Senate Bill No. 5—An Act making an appropriation to pay the claims for services of the National Guard of California and other expenses incurred by the Adjutant-General under direction of the Governor, arising and growing out of the labor troubles and strikes in the City of San Francisco in the months of May, June, and July, 1907.

Bill read third time at a previous time to-day.

The roll was called, and Senate Bill No. 5 finally passed by the following vote:

AYES—Messrs. Baxter, Beban, Bell, Berry, Birdsall, Bishop, Bush, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Fisher, Fratessa, Hammon, Hans, Hartmann, Held, Hewitt, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Snyder, Spalding, Stanton, Stetson, Strolil, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Transue, Vogel, Walsh, Weske, Wessling, Whitmore, Wyatt, and Mr. Speaker—66

NOES—Messrs. Barry, Boyle, Cullen, Forbes, Kohlman, McKeon, McMullin, Smyth, Toomey, and Wilson—10.

Title read and approved.

Bill ordered transmitted to the Senate

CALLED TO THE CHAIR.

At three o'clock and four minutes P. M., Speaker pro tem. J. P. Transue was called to the chair.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

ASSEMBLY CHAMBER, SACRAMENTO, November 22, 1907.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have examined and found the following bills correctly engrossed:

Assembly Bill No. 3—An Act to amend Section 10 of the Political Code, relating to holidays.

Assembly Bill No. 4—An Act to amend Section 7 of the Civil Code, relating to holidays.

Assembly Bill No. 5—An Act to add a new section to the Political Code of the State of California to be known and numbered as Section 3900a, relating to the postponing of the collection or payment of taxes, the postponing of delinquency for non-payment of same, the postponing of penalties, forfeitures or fines for non-payment of same, the postponing of entry of penalty for such delinquency, the postponing of the time of preparing delinquent lists for unpaid taxes, and the duties of all persons and public officers in connection therewith, in the event of general financial stringency.

Assembly Bill No. 1—An Act to amend Section 10 of the Code of Civil Procedure, relating to holidays.

HANS, Chairman.

The above reported bills were ordered on file for third reading.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, November 22, 1907.

MR. SPEAKER. Your Committee on Ways and Means, to whom was referred Assembly Concurrent Resolution No. 2—Relative to adjournment *sine die*—have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

ESTUDILLO, Chairman.

Assembly Concurrent Resolution No. 2 ordered to print with a rush order.

URGENCY RESOLUTION.

The following resolution was offered by Mr. Johnson of Sacramento:

Resolved, That Assembly Bills Nos. 1, 2, 3, 4, and Committee Substitute for Senate Bill No. 11 present a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

Resolution read.

Mr. Johnson of Sacramento moved the adoption of the resolution.
The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Barry, Baxter, Beban, Berry, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Collister, Cornish, Costar, Cullen, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Fisher, Forbes, Hammon, Hans, Hartmann, Held, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lucas, Lynch, McGuire, McKeon, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Spalding, Stetson, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Walsh, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—64.

NOES—None.

THIRD READING OF URGENCY BILLS.

Assembly Bill No. 1—An Act to amend Section 10 of the Code of Civil Procedure, relating to holidays.

Bill read third time.

The roll was called, and Assembly Bill No. 1 passed by the following vote:

AYES—Messrs. Baxter, Beban, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Collister, Cornish, Costar, Cullen, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Forbes, Fratessa, Hammon, Hans, Hartmann, Held, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McConnell, McGuire, McKeon, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Smyth, Spalding, Stanton, Stetson, Strobridge, Thompson of Los Angeles, Toomey, Transue, Vogel, Walsh, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3—An Act to amend Section 10 of the Political Code, relating to holidays.

Bill read third time.

The roll was called, and Assembly Bill No. 3 passed by the following vote:

AYES—Messrs. Barry, Baxter, Beban, Bell, Berry, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Collister, Cornish, Costar, Cullen, Davis, Devlin, Eshleman, Estudillo, Finney, Fisher, Forbes, Fratessa, Hammon, Hartmann, Held, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McConnell, McKeon, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Smyth, Snyder, Spalding, Stanton, Stetson, Strobridge, Thompson of Los Angeles, Toomey, Transue, Vogel, Walsh, Weske, Wessling, Whitmore, Wyatt, and Mr. Speaker—67.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 4—An Act to amend Section 7 of the Civil Code, relating to holidays.

Bill read third time.

The roll was called, and Assembly Bill No. 4 passed by the following vote:

AYES—Messrs. Barry, Baxter, Beban, Bell, Berry, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Collister, Cornish, Costar, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Fisher, Forbes, Hans, Held, Hewitt, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lucas, Ludington, Lynch, McConnell, McKeon, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Snyder, Spalding, Stanton, Stetson, Strobridge, Thompson of Los Angeles, Toomey, Transue, Vogel, Walsh, Weske, Wessling, Whitmore, Wyatt, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SPEAKER RESUMED THE CHAIR.

At three o'clock and thirty minutes P. M. the Speaker resumed the chair.

Committee Substitute for Senate Bill No. 11—An Act to add a new section to the Political Code of the State of California, to be numbered Section 3757, relating to the extension of the time for payment of taxes and the postponement of the delinquency of taxes for non-payment, and postponement of the duties of all persons and public officers in connection therewith.

Bill read third time.

The roll was called, and Committee Substitute for Senate Bill No. 11 finally passed by the following vote:

AYES—Messrs. Barry, Baxter, Beban, Bell, Berry, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Cogswell, Coghlan, Cornish, Costar, Cullen, Cutten, Davis, Devlin, Eshleman, Estudillo, Finney, Forbes, Fratessa, Hammon, Hans, Hartmann, Held, Hewitt, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Snyder, Spalding, Stanton, Stetson, Strohl, Strobbridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Walsh, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—65.

NOES—Messrs. Chandler, Collister, Drew, Lemon, and Weske—5.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2—An Act to amend Sections 134 and 135 of the Code of Civil Procedure, both relating to judicial days.

SPECIAL ORDER SET.

On motion, the consideration of Assembly Bill No. 2 was made a special order for seven o'clock and thirty minutes P. M., of this day.

RESOLUTIONS DECLARED OUT OF ORDER.

Assembly Concurrent Resolution No. 1 and the resolution by Mr. Held, relative to appointing a committee to examine banks, coming up at this time, the Speaker ruled that they, not being germane to the Executive call, were out of order.

RESOLUTION.

The following resolution was offered:

By Mr. Smith:

WHEREAS, This nation has enjoyed an unprecedented era of prosperity; and

WHEREAS, We believe the confidence reposed in our worthy President has in a large measure been responsible for this prosperity; and

WHEREAS, We believe the announcement by President Roosevelt that he was a candidate for re-election would be the means of bringing order out of the present unsettled conditions; be it therefore

Resolved, That the Thirty-seventh Session of the Assembly of the California State Legislature, assembled in extraordinary session, request President Roosevelt to reconsider his decision and become a candidate for re-election and that a copy of these resolutions be forwarded to the President.

Ordered printed in the Journal.

SPECIAL ORDER SET.

On motion of Mr. Coghlan, the consideration of Senate Bill No. 7 was made a special order for seven o'clock and thirty minutes P. M. of this day.

RECESS.

At four o'clock P. M. the Assembly was declared at recess until seven o'clock and thirty minutes P. M. of this day.

REASSEMBLED.

At seven o'clock and thirty minutes P. M. the Assembly reconvened. Hon. R. L. Beardslee, Speaker of the Assembly, in the chair.

SPECIAL ORDER CONSIDERED.

The hour having arrived for the consideration of special orders, Senate Joint Resolution No. 1 was taken up and read.

SENATE JOINT RESOLUTION No. 1.

Relative to the passage of an Act by Congress suspending the provisions of Section 2324 of the Revised Statutes of the United States, relative to annual work on mining claims.

WHEREAS, The financial stringency now being experienced in the State of California, as well as in adjoining states, has worked great hardship upon those persons who annually contribute to a large amount of money for the performance of the annual labor upon mining claims as required by the provisions of Section 2324 of the Revised Statutes of the United States

Resolved, therefore, by the Senate of the State of California and Assembly jointly, That our Senators and Representatives in Congress be requested to use all honorable means to secure the passage of legislation by the Congress next to convene, suspending the operation, for the years 1907 and 1908, of that portion of the Revised Statutes of the United States, Section 2324 thereof, requiring the expenditure annually of one hundred dollars in labor and improvements upon unpatented mining claims, similar legislation having been enacted by Congress in the years 1893 and 1894; be it therefore

Resolved That the Secretary of the Senate be and is hereby directed to transmit a copy of this resolution to each of our Senators and Representatives in Congress.

CALLED TO THE CHAIR.

At eight o'clock and ten minutes P. M., Speaker pro tem. J. P. Transue was called to the chair.

The roll was called, and Senate Joint Resolution No. 1 refused adoption by the following vote:

AYES—Messrs. Barry, Baxter, Behan, Berry, Boyle, Bush, Coghlan, Cullen, Finney, Fisher, Forbes, Hartmann, Hewitt, Johnson of Sacramento, Jury, Kelly, Leeds, Lucas, Ludington, McGuire, Pierce, Pyle, Root, Sackett, Snyder, Spalding, Stanton, Strohl, Thompson of Los Angeles, Toomey, Transue, and Vogel—32.

NOES—Messrs. Bell, Birdsall, Bishop, Campbell, Case, Chandler, Cogswell, Collister, Cornish, Costar, Cutten, Davis, Devlin, Drew, Eshleman, Fratessa, Hammon, Hans, Held, Higgins, John, Kohlman, Lemon, Lynch, McClellan, McConnell, McKeon, McMullin, O'Brien, Otis, Percival, Smith, Smythe, Stetson, Thompson of San Francisco, Walsh, Weske, Wessling, Whitmore, Wilson, and Wyatt—41.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 7—An Act to amend Section 5 of the Act entitled "An Act to provide for the issuance and sale of State bonds to create a fund for the acquisition by the Board of State Harbor Commissioners of a necessary area for a tidal basin for wharves, piers, harbors and appur-

tenances in the City and County of San Francisco; to create a sinking fund for the payment of said bonds; and defining the duties of State officers in relation thereto; making an appropriation of one thousand dollars for the expense of printing said bonds; and providing for a submission of this Act to a vote of the people," approved March 21, 1907, relating to the redemption of such bonds and creating a sinking fund for such purpose, and adding a new section to said Act, to be numbered Section 10½, relating to the publication of said Act, and providing for the payment of the cost of publication of the same.

The question being on the final passage of the bill.

The roll was called, and Senate Bill No. 7 finally passed by the following vote:

AYES—Messrs. Barry, Baxter, Behan, Berry, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Cutton, Davis, Delvin, Drew, Eshleman, Estudillo, Finney, Fisher, Forbes, Frattessa, Hammon, Hans, Hartmann, Held, Hewitt, Higgins, John, Johnson of Sacramento, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Smyth, Snyder, Spalding, Stanton, Sterson, Strohl, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Walsh, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—74.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, November 22, 1907.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following Committee Substitute for Senate Concurrent Resolution No. 2—Relative to the appointment of a committee to consist of three members of the Senate and three members of the Assembly for the purpose of investigating the business methods employed generally by the banks and banking houses of the State of California with a view to amending present banking and trust laws so as to afford better protection to the depositor and to the business world.

LEWIS A. HILBORN, Secretary of Senate.
By F. Cox, Assistant Secretary.

COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 2.

Be it resolved, by the Senate of the State of California, the Assembly concurring, That a committee to consist of three Senators and three members of the Assembly be appointed by the President of the Senate, and the Speaker of the Assembly, respectively, for the purpose of securing such information as will enable such committee to make a full and comprehensive report as to the methods usually employed by persons, associations, or corporations, engaged in the banking business, or receiving money on deposit within the State of California, to the end that laws may be enacted by the Legislature of this State improving our banking methods and laws.

That said committee be and it is hereby empowered to administer oaths and issue all necessary subpoenas directed to persons residing in this State to appear before such committee at a time and place to be named therein, and such person so served, is required to appear and testify before such committee as to all matters and things which he may be examined upon, bearing upon the subject-matter of this resolution and such person shall be required to produce and submit to the inspection and examination by such committee of all books, papers and documents as may be in his possession or control.

That such committee shall have and is hereby given power and authority to incur all necessary expenses to enable it to perform the duties herein specified and that it make its report in writing to the Governor and the Legislature next to meet, and in such report make such recommendation and prepare such laws as will carry out the purpose contemplated by this resolution.

That the expenses to be incurred under authority of this resolution shall not exceed in the aggregate, the sum of five thousand dollars (\$5,000), and such amount shall be payable one half out of the contingent fund of the Assembly and one half

out of the contingent fund of the Senate. The State Controller shall draw his warrants upon such funds on the presentation of claims audited by the committee and filed by the chairman of said committee, and the State Treasurer shall pay the same.

Mr. Stanton moved that Committee Substitute for Senate Concurrent Resolution No. 2 be taken up for consideration.

Motion carried.

POINT OF ORDER.

Mr. John arose to the following point of order:

This Committee Substitute for Senate Concurrent Resolution No. 2 cannot properly be considered before this Assembly, for this reason: The Speaker this day ruled out of order two resolutions introduced in this Assembly, dealing with the same subject and identical in subject-matter with said Committee Substitute for Senate Concurrent Resolution No. 2. This ruling having been made, it prevents consideration of the Committee Substitute for Senate Concurrent Resolution No. 2. On this ground and on the ground that the resolution is not germane to the Governor's proclamation, I raise the point that the resolution is out of order.

The Speaker ruled the point of order not well taken.

Mr. Johnson of Sacramento moved to amend by striking out of printed resolution, on page 1, all of lines 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Bell, Bishop, Bush, Campbell, Case, Chandler, Cogswell, Costar, Davis, Devlin, Drew, Eshleman, Finney, Forbes, Fratessa, Held, John, Johnson of Sacramento, Ludington, McClellan, McConnell, McKeon, McMullin, Otis, Percival, Pyle, Sackett, Spalding, and Whitmore—29.

NOES—Messrs. Barry, Beban, Berry, Birdsall, Boyle, Butler, Coghlan, Collister, Cornish, Cullen, Cutten, Estudillo, Fisher, Hammon, Hans, Hartmann, Hewitt, Higgins, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Lynch, McGuire, O'Brien, Pierce, Root, Smyth, Snyder, Stanton, Stetson, Strohl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Walsh, Weske, Wilson, Wyatt, and Mr. Speaker—45.

The question recurring on the adoption of the concurrent resolution.

The roll was called, and Senate Concurrent Resolution No. 2 finally adopted by the following vote:

AYES—Messrs. Barry, Beban, Beckett, Berry, Boyle, Coghlan, Cullen, Cutten, Fisher, Fratessa, Hammon, Hans, Hartmann, Hewitt, Higgins, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, McGuire, O'Brien, Pierce, Root, Sackett, Snyder, Stanton, Stetson, Strohl, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Walsh, Weske, Wessling, Wilson, Wyatt, and Mr. Speaker—41.

NOES—Messrs. Bell, Birdsall, Bishop, Bush, Butler, Campbell, Case, Chandler, Cogswell, Collister, Cornish, Costar, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Forbes, Held, John, Johnson of Sacramento, Ludington, Lynch, McClellan, McConnell, McKeon, McMullin, Otis, Percival, Pyle, Smith, Smyth, Spalding, Strobridge, and Whitmore—36.

Senate Concurrent Resolution No. 2 ordered transmitted to the Senate.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, November 22, 1907.

MR. SPEAKER: I am directed to inform your honorable body, that the Senate on this day concurred in Assembly Amendments Nos. 1, 2, 3, 4, 6, 7, and 8, and refused to concur in Assembly Amendment No. 5, to Committee Substitute for Senate Bill No. 11—An Act to add a new section to the Political Code of the State of California, to be numbered Section 3757, relating to the extension of the time for payment of taxes and the postponement of the delinquency of taxes for non-payment, and postponement of the duties of all persons and public officers in connection therewith—and respectfully request your honorable body to recede from said Amendment No. 5.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

Mr. Thompson of Los Angeles moved that the Assembly refuse to

recede from Assembly Amendment No. 5 to Committee Substitute for Senate Bill No. 11.

The question being put, "Shall the Assembly refuse to recede from Assembly Amendment No. 5 to Committee Substitute for Senate Bill No. 11?"

The roll was called, and the Assembly refused to recede by the following vote:

AYES—Messrs. Barry, Beban, Bell, Berry, Birdsall, Bishop, Boyle, Bush, Butler, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Fisher, Fratessa, Hammon, Hans, Hartmann, Held, Hewitt, Higgins, John, Johnson of Sacramento, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McConnell, McKeon, McMullin, O'Brien, Percival, Pierce, Pyle, Snyder, Stanton, Strohl, Strobbridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Weske, Whitmore, and Wyatt—60.

NOES—None.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The Speaker appointed Messrs. Bishop, Otis, and Thompson of Los Angeles, as a Committee on Conference to meet a like committee from the Senate, for the purpose of considering Assembly Amendment No. 5 to Committee Substitute for Senate Bill No. 11.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, November 22, 1907.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following, as cases of urgency.

Committee Substitute for Senate Bill No. 4—An Act to amend Section 7 of the Civil Code, relating to holidays.

Also Committee Substitute for Senate Bill No. 8—An Act to amend Section 10 of the Political Code, relating to holidays.

Also Committee Substitute for Senate Bill No. 9—An Act to amend Section 10 of the Code of Civil Procedure, relating to holidays.

Also Committee Substitute for Senate Bill No. 10—An Act to amend Section 135 of the Code of Civil Procedure, relating to the transaction of judicial business on holidays.

LEWIS A. HILBORN, Secretary of Senate.

By J. W. KAVANAGH, Assistant Secretary.

URGENCY RESOLUTION.

The following resolution was offered by Mr. Hewitt:

Resolved. That Committee Substitutes for Senate Bills Nos. 4, 8, 9, and 10 present a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third time, and placed upon their passage.

Mr. Hewitt moved that the resolution be adopted.

The roll was called, and resolution adopted by the following vote:

AYES—Messrs. Beban, Beckett, Bell, Berry, Birdsall, Boyle, Bush, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Fisher, Fratessa, Hammon, Held, Hewitt, Higgins, John, Johnson of Sacramento, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McConnell, O'Brien, Percival, Pierce, Pyle, Root, Sackett, Stetson, Strohl, Strobbridge, Thompson of San Francisco, Toomey, Transue, Vogel, Weske, Wessling, Whitmore, Wyatt, and Mr. Speaker—57.

NOES—None.

CONSIDERATION OF SENATE BILLS.

Committee Substitute for Senate Bill No. 4—An Act to amend Section 7 of the Civil Code, relating to holidays.

Bill read second time.

Bill read third time.

The roll was called, and Committee Substitute for Senate Bill No. 4 finally passed by the following vote:

AYES—Messrs. Beban, Beckett, Berry, Birdsall, Boyle, Bush, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Fisher, Forbes, Fratessa, Hammon, Hans, Hewitt, Higgins, John, Johnson of Sacramento, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, O'Brien, Otis, Percival, Pierce, Pyle, Sackett, Smith, Snyder, Spalding, Strohl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Committee Substitute for Senate Bill No. 8—An Act to amend Section 10 of the Political Code, relating to holidays.

Bill read second time.

Bill read third time.

The roll was called, and Committee Substitute for Senate Bill No. 8 finally passed by the following vote:

AYES—Messrs. Beban, Beckett, Berry, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Devlin, Eshleman, Estudillo, Fisher, Hans, Hartmann, Johnson of Sacramento, Johnson of San Diego, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Snyder, Stetson, Strohl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Wessling, Whitmore, Wyatt, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Committee Substitute for Senate Bill No. 9—An Act to amend Section 10 of the Code of Civil Procedure, relating to holidays.

Bill read second time.

Bill read third time.

The roll was called, and Committee Substitute for Senate Bill No. 9 finally passed by the following vote.

AYES—Messrs. Baxter, Beban, Beckett, Berry, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Devlin, Drew, Eshleman, Estudillo, Fisher, Hammon, Hans, Hartmann, Held, Hewitt, Higgins, John, Johnson of Sacramento, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, McKeon, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Snyder, Stetson, Strohl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Weske, Wessling, Whitmore, Wilson, and Wyatt—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, November 22, 1907.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day appointed, as a conference committee of three, Senators Leavitt, Hartman, and Wright, to meet your Committee on Conference in regard to Assembly Amendment No. 5, Committee Substitute for Senate Bill No. 11.

LEWIS A. HILBORN, Secretary of Senate.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

ON CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, November 22, 1907.

MR. SPEAKER: Your Committee on Conference concerning Committee Substitute

for Senate Bill No. 11—An Act to add a new section to the Political Code of the State of California, to be numbered Section 3757, relating to the extension of the time for payment of taxes and the postponement of the delinquency of taxes for non-payment, and postponement of the duties of all persons and public officers in connection therewith—report that we have met a like committee of the Senate, consisting of Senators Leavitt, Hartman, and Wright, and that we have been unable to agree, and ask that a Committee on Free Conference be appointed.

BISHOP.

Chairman of Committee on Conference of the Assembly.

Mr. Bishop moved that the report be adopted.

Motion carried.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, November 22, 1907.

MR. SPEAKER: I am directed to inform your honorable body that the Senate adopted the report of their Conference Committee on Assembly Amendment No. 5 to Committee Substitute for Senate Bill No. 11, and have appointed, as Committee on Free Conference, Senators Wright, Leavitt, and Hartman, and respectfully request your honorable body to appoint a like Committee on Free Conference to meet with the Senate committee.

LEWIS A. HILBORN, Secretary of Senate.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The Speaker appointed Messrs. Bishop, Otis, and Thompson of Los Angeles as a Committee on Free Conference to meet a like committee from the Senate to consider Assembly Amendment No. 5 to Committee Substitute for Senate Bill No. 11.

CONSIDERATION OF SENATE BILLS—(RESUMED).

Committee Substitute for Senate Bill No. 10—An Act to amend Section 135 of the Code of Civil Procedure, relating to the transaction of judicial business on holidays and special holidays.

During the second reading of the bill, Mr. Stetson moved to amend as follows:

By adding to Section 1 of printed bill, the words "When any action, civil or criminal, or any special proceeding or probate matter has been continued by the operation of holidays for a continuous period of not less than three days, the court shall have power in its discretion to further continue the trial or hearing of the same not to exceed thirty days in all in addition to such continuances as may now be permitted by law."

Amendment lost.

Bill read second time.

Bill read third time.

The roll was called, and Committee Substitute for Senate Bill No. 10 finally passed by the following vote:

AYES—Messrs. Baxter, Beban, Beckett, Bishop, Boyle, Bush, Butler, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Curtin, Devlin, Estudillo, Fisher, Forbes, Fratessa, Hammon, Hans, Hartmann, Hewitt, John, Johnson of Sacramento, Jury, Kelly Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McGuire, O'Brien, Otis, Pierce, Pyle, Root, Snyder, Stanton, Strohl, Thompson of Los Angeles, Transue, Vogel, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—51.

NOES—Messrs. Birdsall, Campbell, Case, Davis, Drew, Eshleman, McClellan, McKeon, McMullin, Percival, Smith, and Weske—12.

Title read and approved.

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONCURRENT RESOLUTION.

On motion of Mr. Estudillo, Assembly Concurrent Resolution No. 2 was taken up for consideration:

ASSEMBLY CONCURRENT RESOLUTION No. 2.

Relative to adjournment *sine die*.

Resolved by the Assembly, the Senate concurring, That the two houses of the Legislature adjourn *sine die* at twelve o'clock noon, on Saturday, November 23, 1907.

Resolution read.

The roll was called, and Assembly Concurrent Resolution No. 2 adopted by the following vote:

AYES—Messrs. Baxter, Beban, Beckett, Birdsall, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Forbes, Hammon, Hans. Hartmann, Held, John, Johnson of Sacramento, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McConnell, McGuire, McKeon, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Smith, Snyder, Stanton, Strohl, Thompson of Los Angeles, Transue, Vogel, Weske, Whitmore, Wilson, Wyatt, and Mr. Speaker—59.

NOES—None.

Assembly Concurrent Resolution No. 2 ordered transmitted to the Senate.

REPORT OF SELECT COMMITTEE.

The following report of select committee was received and read:

ON FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, November 22, 1907.

MR. SPEAKER: Your Committee on Free Conference, to whom was referred Committee Substitute for Senate Bill No. 11, have met a like committee from the Senate, composed of Senators Leavitt, Hartman, and Wright, and have had the same under consideration and beg leave to report as follows: That in lieu of Amendment No. 5, as offered by the Assembly to Committee Substitute for Senate Bill No. 11, your committee recommend that the Senate and Assembly adopt the following: On line 23, after the word "the," insert the following: "Collection of the first installment of said taxes and the fifteen per cent penalty for delinquency thereof," in lieu of the following "matters herein enumerated and imposed by law."

BISHOP.

OTIS.

THOMPSON of Los Angeles.
Committee on Free Conference.

Mr. Bishop moved that the report be adopted.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Baxter, Beban, Beckett, Bishop, Boyle, Bush, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Costar, Cullen, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Fisher, Forbes, Hammon, Hans. Hartmann, Hewitt, John, Jury, Kelly, Kohlman, Leeds, Lemon, Ludington, Lynch, McConnell, McKeon, O'Brien, Otis, Percival, Pierce, Pyle, Root, Snyder, Stanton, Strohl, Thompson of San Francisco, Thompson of Los Angeles, Transue, Vogel, Weske, Whitmore, Wilson, Wyatt, and Mr. Speaker—54.

NOES—Messrs. Cornish, Finney, and Johnson of Sacramento—3.

RESOLUTIONS.

The following resolutions were received and read:

By Mr. Eshleman:

Resolved, by the Assembly of the State of California, That the Honorable Members of Congress from California be petitioned to oppose any bills introduced into the Congress of the United States, looking to the suspension of the operation, during the years 1907 and 1908, of Section 2324 of the Revised Statutes of the United States, relative to annual work on mining claims; and be it further

Resolved, That the Chief Clerk of this Assembly be and he is hereby directed to transmit a copy of this resolution to each of our Senators and Representatives in Congress.

Mr. Eshleman moved that the resolution be adopted.

Motion carried.

By Mr. Coghlan:

Resolved. That for and by reason of services rendered the Assembly as an Assistant Clerk, at the desk, at the request of the Chief Clerk, by Ed. J. Smith from November 19, 1907, to November 22, 1907, both days inclusive, said Ed. J. Smith is hereby allowed the same per diem therefor for said services as is paid the other Assistant Clerks at the desk under the Chief Clerk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly. The State Controller is hereby authorized and directed to draw his warrant therefor, and the State Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly. Be it further

Resolved. That the said Ed. J. Smith is hereby appointed as an Assistant Clerk at the desk under the Chief Clerk, at the same per diem as is paid the other Assistant Clerks at the desk under the Chief Clerk, said per diem being payable out of the appropriation for the contingent expenses of the Assembly.

Mr. Coghlan moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Beban, Beckett, Bell, Bishop, Boyle, Bush, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cullen, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Fisher, Forbes, Fratessa, Hammon, Hans, Hartman, Held, Hewitt, John, Johnson of Sacramento, Jury, Kelly, Kohlman, Leeds, Lemon, Ludington, Lynch, McConnell, McGuire, McKeon, McMullin, O'Brien, Percival, Pierce, Pyle, Root, Snyder, Stanton, Stroll, Thompson of San Francisco, Thompson of Los Angeles, Transue, Vogel, Weske, Whitmore, Wilson, Wyatt, and Mr. Speaker—59.

NOES—None.

SENATE MESSAGES—(RESUMED).

The following Senate messages were received and read:

SENATE CHAMBER, SACRAMENTO, November 22, 1907.

MR. SPEAKER: I am directed to inform your honorable body, that the Senate on this day concurred in Assembly amendments to Senate Bill No. 7—An Act to amend Section 5 of the Act entitled "An Act to provide for the issuance and sale of State bonds to create a fund for the acquisition by the Board of State Harbor Commissioners of a necessary area for a tidal basin for wharves, piers, harbors and appurtenances in the City and County of San Francisco: to create a sinking fund for the payment of said bonds; and defining the duties of State officers in relation thereto, making an appropriation of one thousand dollars for the expense of printing said bonds; and providing for a submission of this Act to a vote of the people," approved March 21, 1907, relating to the redemption of such bonds and creating a sinking fund for such purpose, and adding a new section to said Act, to be numbered Section 10½, relating to the publication of said Act, and providing for the payment of the cost of publication of the same.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, November 22, 1907.

MR. SPEAKER: I am directed to inform your honorable body, that the Senate on this day adopted the report of the Committee on Free Conference on Assembly Amendment No. 5 to Committee Substitute for Senate Bill No. 11—An Act to add a new section to the Political Code of the State of California, to be known and numbered as Section 3457a, relating to the postponing of the collection or payment of taxes, the postponing of delinquency for non-payment of same, the postponing of penalties, forfeitures or fines for non-payment of same, the postponing of entry of penalty for such delinquency, the postponing of time of preparing delinquent lists for unpaid taxes, and the duties of all persons and public officers in connection therewith, in the event of general financial stringency.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, November 22, 1907.

MR. SPEAKER: I am directed to inform your honorable body, that the Senate on this day adopted Assembly Concurrent Resolution No. 2—Relative to adjournment *sine die*.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

ADJOURNMENT.

At eleven o'clock and forty minutes p. m., on motion of Mr. Johnson of Sacramento, the Speaker declared the Assembly adjourned until ten o'clock a. m. of Saturday, November 23, 1907.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

Saturday, November 23, 1907.

At ten o'clock a. m., pursuant to adjournment, the Assembly was called to order.

Hon. R. L. Beardslee, Speaker of the Assembly, in the chair.

The roll was called, and the following members answered to their names:

Messrs. Baxter, Beban, Beckett, Berry, Birdsall, Bishop, Boyle, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Cornish, Costar, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Fisher, Forbes, Fratessa, Hammon, Hans, Hartmann, Held, Hewitt, Higgins, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Smyth, Snyder, Spalding, Stanton, Stetson, Strohl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Transue, Vogel, Walsh, Weske, Wessling, Whitmore, Wilson, Wyatt, and Mr. Speaker—74.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. W. F. Reagor.

READING OF THE JOURNAL.

During the reading of the Journal, its further reading was dispensed with, on motion of Mr. Thompson of San Francisco.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Estudillo:

Resolved, That the sum of one hundred and fifty dollars is hereby appropriated from the Contingent Fund of the Assembly for the purpose of storing furniture, and taking up carpet and canvas belonging to the Assembly. The Controller is hereby authorized and directed to draw his warrant in favor of J. T. Stafford, Sergeant-at-Arms of the Assembly, for the above amount (one hundred and fifty dollars), and the Treasurer is hereby authorized and directed to pay the same.

Resolution read.

Mr. Estudillo moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Birdsall, Bishop, Boyle, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Collister, Costar, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Forbes, Fratessa, Hammon, Hans, Hartmann, Held, Hewitt, Higgins, Johnson of Sacramento, Johnson of San Diego, Jury, Leeds, Lucas, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Smith, Smyth, Snyder, Spalding, Stanton, Strohl, Strobridge, Thompson of

San Francisco, Thompson of Los Angeles, Toomey, Vogel, Weske, Wessling, Whitmore, Wyatt, and Mr. Speaker—60.

NOES—None.

By Mr. Lynch:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized and directed to pay the same, for the sum of forty-two dollars and six cents, in favor of J. T. Stafford, Sergeant-at-Arms of the Assembly, same being for the payment of the following bills attached:

F. R. Pulford.....	\$19 55
Kane & Trainor.....	9 00
The Pacific Telegraph and Telephone Co.....	5 16
R. A. Sollars.....	5 00
H. E. Sleeper & Co.....	3 35
Total	\$42 06

Resolution read.

Mr. Lynch moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Barry, Baxter, Birdsall, Bishop, Boyle, Butler, Campbell, Case, Chandler, Cogswell, Coghlan, Costar, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Forbes, Fratessa, Hammon, Hans, Hartmann, Held, Hewitt, Higgins, Johnson of Sacramento, Johnson of San Diego, Jury, Leeds, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, McMullin, O'Brien, Percival, Pierce, Pyle, Root, Sackett, Smith, Snyder, Spalding, Stanton, Strohl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Toomey, Vogel, Weske, Wessling, Whitmore, Wyatt, and Mr. Speaker—61.

NOES—None.

RESOLUTION CALLED UP.

On motion of Mr. Smith, the following resolution was taken up for consideration:

WHEREAS, This nation has enjoyed an unprecedented era of prosperity; and

WHEREAS, We believe the confidence reposed in our worthy President has in a large measure been responsible for this prosperity, and

WHEREAS, We believe the announcement by President Roosevelt that he was a candidate for re-election would be the means of bringing order out of the present unsettled conditions, be it therefore

Resolved, That the Thirty-seventh Session of the Assembly of the California State Legislature, assembled in extraordinary session, request President Roosevelt to reconsider his decision and become a candidate for re-election, and that a copy of these resolutions be forwarded to the President.

POINT OF ORDER.

Mr. Johnson of Sacramento arose to the following point of order: That the resolution is not germane to the Executive call convening the Legislature in extraordinary session, and therefore can not be considered.

The Speaker ruled that the point of order was well taken.

RESOLUTIONS—(RESUMED).

The following resolutions were offered:

By Mr. Transue:

Resolved, That Clio Lloyd, the Chief Clerk of the Assembly, be and he is hereby authorized and directed to compile, prepare, and have printed a final calendar of the legislative business of the Thirty-seventh Assembly, extra session, comprising the history of all bills introduced, their authors, the number that have become laws, those that have been read on second readings, and all other information that will create a perfect guide and history to the session's business, together with this shall be a tabulation of the expense of the Assembly, and of printing, such information being prepared not only for the book, but as a guide for the Thirty-eighth Legislature. For the purpose of carrying on this work, and for preparing and having the official final Journals of the session prepared, signed by the officers of the Assembly after adjourn-

ment, and delivering the same to the State Printer to be bound, a copy to be mailed to each member, the Controller is hereby directed to draw his warrant on the proper fund for the sum of \$200.00 in favor of Clio Lloyd, and the Treasurer is directed to pay the same.

Resolution read.

Mr. Transue moved the adoption of the resolution

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Baxter, Behan, Beckett, Berry, Birdsall, Boyle, Campbell, Case, Chandler, Cogswell, Collister, Costar, Cutten, Davis, Devlin, Drew, Eshleman, Forbes, Fratessa, Hammon, Hans, Hartmann, Held, John, Johnson of Sacramento, Johnson of San Diego, Jury, Kelly, Kohlman, Leeds, Lemon, Lucas, Ludington, Lynch, McConnell, McGuire, McKeon, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Snyder, Spalding, Stanton, Stetson, Strohl, Strobridge, Thompson of Los Angeles, Toomey, Transue, Vogel, Walsh, Weske, Wessling, Whitmore, Wyatt, and Mr. Speaker—59.

NOES—None.

By Mr. Drew:

Resolved, That a committee of three be appointed by the Speaker to wait upon the Senate and inform that body that the Assembly is ready to adjourn, and ask if the Senate has any further communication to make to the Assembly.

Resolution read, and on motion adopted.

SENATE COMMITTEE APPEARS.

A committee from the Senate consisting of Senators Black, Caminetti and Markey appeared before the bar of the Assembly and reported that the Senate had concluded its labors, was ready to adjourn, and awaited the pleasure of the Assembly.

SPEAKER'S REPLY.

The Speaker informed the committee that the Assembly would communicate with the Senate through a like committee.

RESOLUTIONS—(RESUMED).

By Mr. Berry:

Resolved, That each member of the Assembly be and he hereby is allowed twenty-five (25) dollars for contingent expenses provided by the Constitution, and the same be payable out of the appropriation for contingent expenses of the Assembly. The Controller is hereby directed to draw his warrant for the same and the Treasurer is hereby directed to pay the same.

Mr. Berry moved that the resolution be adopted.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Messrs. Barry, Baxter, Behan, Beckett, Berry, Boyle, Butler, Campbell, Coghlan, Collister, Cornish, Cullen, Fratessa, Hartmann, Johnson of Sacramento, Jury, Kelly, Kohlman, McMullin, Smith, Snyder, Toomey, Wessling, Wilson, and Wyatt—25.

NOES—Messrs. Birdsall, Bishop, Case, Chandler, Cogswell, Costar, Cutten, Davis, Devlin, Drew, Eshleman, Estudillo, Finney, Forbes, Hammon, Held, Hewitt, John, Johnson of San Diego, Leeds, Lemon, Lucas, Ludington, Lynch, McClellan, McConnell, McGuire, McKeon, O'Brien, Otis, Percival, Pierce, Pyle, Root, Sackett, Spalding, Stanton, Stetson, Strohl, Strobridge, Thompson of San Francisco, Thompson of Los Angeles, Transue, Vogel, Walsh, Weske, Whitmore, and Mr. Speaker—48.

APPOINTMENT OF COMMITTEE.

The Speaker made the following announcement:

COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION No. 2.

Be it resolved by the Senate of the State of California, the Assembly concurring, That a committee to consist of three Senators and three members of the Assembly be appointed by the President of the Senate, and the Speaker of the Assembly,

respectively, for the purpose of securing such information as will enable such committee to make a full and comprehensive report as to the methods usually employed by persons, associations, or corporations, engaged in the banking business, or receiving money on deposit within the State of California, to the end that laws may be enacted by the Legislature of this State improving our banking methods and laws.

That said committee be and it is hereby empowered to administer oaths and issue all necessary subpoenas directed to persons residing in this State to appear before such committee at a time and place to be named therein, and such person so served, is required to appear and testify before such committee as to all matters and things which he may be examined upon, bearing upon the subject-matter of this resolution and such person shall be required to produce and submit to the inspection and examination by such committee of all books, papers and documents as may be in his possession or control.

That such committee shall have and is hereby given power and authority to incur all necessary expenses to enable it to perform the duties herein specified and that it make its report in writing to the Governor and the Legislature next to meet, and in such report make such recommendation and prepare such laws as will carry out the purpose contemplated by this resolution.

That the expenses to be incurred under authority of this resolution shall not exceed in the aggregate, the sum of five thousand dollars (\$5,000), and such amount shall be payable one half out of the contingent fund of the Assembly and one half out of the contingent fund of the Senate. The State Controller shall draw his warrants upon such funds on the presentation of claims audited by the committee and filed by the chairman of said committee, and the State Treasurer shall pay the same.

In conformity with the directions of the foregoing concurrent resolution, I appoint the following three members of the Assembly to act upon the committee therein mentioned, to wit: Messrs. Stanton, Fisher, and Cutfen.

APPOINTMENT OF SELECT COMMITTEE.

The Speaker announced the appointment of Messrs. Drew, Forbes, and Birdsall as a committee to wait upon the Senate and notify that body that the Assembly had concluded its labors and was ready to adjourn.

RESOLUTIONS—(RESUMED).

By Mr. Pierce:

Resolved, That the Speaker appoint a committee of three to wait upon His Excellency, James N. Gillett, and inform him that the Assembly is ready to adjourn, and awaits his further pleasure.

Resolution read, and on motion adopted.

APPOINTMENT OF SELECT COMMITTEE.

In accordance with the above resolution, the Speaker appointed Messrs. Pierce, Devlin, and Davis as such committee.

RESOLUTIONS—(RESUMED).

By Mr. Thompson of Los Angeles:

Resolved, That the thanks of this Assembly be tendered to our Speaker and Speaker pro tem., to our Chaplain, to the Chief Clerk and his assistants, to the Sergeant-at-Arms and his assistants, and to the other attaches of the Assembly for their prompt, faithful, and efficient services during this special session.

Resolution read, and on motion adopted.

APPROVAL OF JOURNALS.

On motion of Mr. Transue, the Journals of Tuesday, November 19, Wednesday, November 20, Thursday, November 21, and Friday, November 22, 1907, were approved as corrected by the Minute Clerk.

REPORT OF SELECT COMMITTEES.

The committee to wait upon the Senate appeared before the bar of the Assembly and reported that they had delivered their message to the Senate and that the Senate had no further communication to make to the Assembly.

The committee to wait on the Governor appeared before the bar of the Assembly and reported that they had delivered the Assembly's message to the Governor, and that the Governor congratulated the Assembly upon the work it had done and wished to convey through this committee his best wishes for the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, November 23, 1907.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following has been correctly enrolled:

Assembly Concurrent Resolution No. 2—Relative to adjournment *sine die*.

And was presented to the Governor at eleven o'clock and fifty-five minutes A. M.

HANS, Chairman.

READING AND APPROVAL OF MINUTES.

The minutes of Saturday, November 23, 1907, were read and, on motion of Mr. Transue, approved.

ADJOURNMENT.

At twelve o'clock M., of Saturday, November 23, 1907, the Hon. R. L. Beardslee, Speaker of the Assembly, announced that the time for final adjournment of the extra session of the Thirty-seventh Legislature of the State of California had arrived, and thereupon declared the Assembly adjourned *sine die*.

R. L. BEARDSLEE,
Speaker of the Assembly.

J. P. TRANSUE,
Speaker pro tem. of the Assembly.

CLIO LLOYD,
Chief Clerk of the Assembly.

H. A. HARPER,
Minute Clerk of the Assembly.

R. L. DEMPSEY,
Journal Clerk of the Assembly.